[fol. 1929] actual word used in the preceding material. It is referring to the fact that in the opinion of the authority, Marx and Engels, and in the opinion of "Marxists-Leninists", in this class dominated society, in a bourgeois society, one has in it the domination of the man and the subordination, the inferior position of the woman. In this connection it is very important here to notice that this was written in 1848, when woman's position was even more subordinate than it is now in many places. That is very important to understand because for example in 1848 she could; a woman could not vote anywhere in Europe nor in our country. A woman worked terribly long hours for pay about one-third that of a man. This is the intent, this is the content of that sentence. That is what they have in mind in 1848 when they are writing. Women had no protection laws in labor; she was barred from practically all professions; she could not go to college and even what she earned was not hers, it was legally the property of the male member of the household.

Now, all this was true when that sentence was written and some of it is still true in many parts of the world and in some parts of the United States. The point there is that what advances have been made in enhancing the rights of women have come because people have struggled for these advances. This is the point, women have labor unions and so on.

Finally, just in summary, the point of this sentence and the point of the Marxist-Leninist is that the barter- [fol. 1930] ing of love, the cheapening of family—it is the existence of corruptness in male-female relationship and it is the subordination of women that Marx and Engels are attacking. This is the meaning of this sentence, torn from the "Manifesto".

The Court:

Q. You are limiting that to women?

A. Limiting what, sir?

Q. The use of the word "prostitution". Would it not equally be applicable to minors, that is children in industries or workers themselves, that you prostitute the

workers, take undue advantage of him, capitalize on him, usurp the benefits of his endeavors?

A. The word "prostitution" could that way be used although I submit to your Honor that I don't think it is usually so used but in the connotation of this sentence of the term "prostitution" as used in the "Manifesto" in what I believe is the more normal term: that is the forcing of a woman into the sale of her body for sexual gratification.

Q. You use it in the commonly understood way, prostitution?

A. Yes, sir.

Mr. Nelson:

Q. Are you through with that, Doctor?

A. Yes, I am through with that.

[fol. 1931] Q. In Exhibit 15 again, the Communist Manifesto, on page 29, the following words occur: "The Communist revolution is the most radical rupture with traditional property relations; no wonder that its development involves the most radical rupture with traditional ideas." What is the meaning of that, Dr Aptheker?

A. It also is from the Communist Manifesto of 1848. The whole point of that sentence, which is a point fundamental to Marxism-Leninism is that ideas reflect social reality in that this is a basic source of ideas of the ideas that we have. For example, most people——

Mr. Cercone: We object to examples.

The Court: Objection overruled. Proceed, Doctor.

A. For example, most people once believed that slavery was right and proper. Most people did. Most people today, I am sure, do not think so. They think that slavery is wrong and improper. Why is that? What is that a hundred years ago most white people thought it was all right and today most white people think it is terrible? I do not think it is because we are smarter than our grandfathers. No, it is because our grandfathers, those of us who happened to be white, lived in a slave society. They were brought up in a society in which slavery [fol. 1932] existed. The owners of slaves had a great property interest. That is the meaning here of the "prop-

erty relations". The owners of slaves had a property interest in that ownership. This gave them great power and, therefore, they spread the idea that slavery was all right, especially since only negroes, as they put it, were slaves. That was their idea. Since they had such power and control of this communication, people believed it and they saw it and they lived in it and they said, "Well, everybody is saying this. All the newspapers are saying slavery exists by law; I guess it is all right." And this was the idea of the social relation.

Today we do not believe that slavery is all right. It is not because we are smarter but because we live in a society where there is no slavery and there is no vested interest by slave owners in convincing us that it is all right. The point here then is that the bourgeoisie has a vested interest, the owner of means of production even greater than the slave owners had in their property, the slaves. They, therefore, insisted that this is right and just and the law is on the whole say-so and we were raised in such a society and go to school where this is taught and we believe it, most of us. We oppose, we Marxist-Leninists, oppose this. He is opposing that which is firmly believed by many people. This indicates, as it says here, "a radical rupture", a breaking, a going away from traditional ideas. That is what that means.

[fol. 1933] Mr. Nelson: Does your Honor wish to have a break at this time?

The Court: I was planning to at 11:45.

Mr. Cercone: May we approach the bench, your Honor?

(At side bar)

Mr. Cercone: Your Honor, I would like to make an objection to this witness's dissertations on what he interprets and excerpts to be for this reason. The whole issue in this case is whether or not those excerpts are used as advocating the overthrow of the Government by force and violence. We are not interested in the ideas that someone may promulgate about the good of the country or bad of the country, what the good points are or what the bad points are of our country. We are not arguing

that. Anybody has a right to suggest change. The only thing——

[fol. 1934] The Court: You have this indictment and you have had interpretations of them and the defense has an equal right to offer interpretation of it.

Mr. Cercone: And explain their interpretations——

The Court: The witness didn't give an explanation as to the history. They read them and interpreted them literally.

Mr. Cercone: And they were restricted as to what it meant, force and violence.

The Court: That, of course, is the question that the jury will have to resolve but in order to resolve it they must have an understanding of the situation and viewpoint of both sides. I am not going to limit them, Mr. Cercone, in their explanation except that they must do so from what they have here. I am going to let them buttress——

Mr. Cercone: But he doesn't do that here.

[fol. 1935] The Court: Oh, yes, except he can't call for assistance from other books that he doesn't have here to support him. He is giving his opinion as to what they mean, he is citing excerpts to demonstrate and give his interpretations of those incidents or occurrences.

Mr. Cercone: We weren't allowed to give interpretations of incidents of past history. Those are things that we are going to have to face.

The Court: There are a lot of things that he says that you think are wrong, they are his conclusions and you can bring that out which indicates his interpretations are wrong, but that is a matter of cross-examination and as long as he doesn't bring in outside authority, authority not in this court room to say he is right, I am going to let him go but that is the reason I am limiting it. I don't want him to call on other authority in support that he is right. If he can show he is right by excerpts from books or by [fol. 1936] anything he said before to support him, that he knows is not changing the ideas that he brought, that these ideas were his before and they are the same ideas, certainly, but I am not going to have him support himself by something that is not here.

Mr. Nelson: If your Honor please, may I call attention that we are moving quite rapidly. We are already half-

way through the quotations and I am not trying to delay this thing——

The Court: I know that. If both of you would cooperate with me. I am trying to get his theories expressed to the jury as much as I can.

(End of side bar)

Recess

[fol. 1937] After recess.

Dr. Herbert Aptheker resumed the stand.

Direct examination (continued):

Mr. Nelson:

Q. Now, coming back again to Exhibit 15, on page 30, the prosecution quoted the following sentence: "The proletariat will use its political supremacy to wrest, by degrees, all capital from the bourgeoisie, to centralize all instruments of production in the hands of the state, i.e., of the proletariat organized as the ruling class; and to increase the total of productive forces as rapidly as possible.

"Of course, in the beginning, this cannot be effected except by means of despotic inroads on the rights of property——" What is your explanation and what is the Communists' position on this particular question?

A. That is also from the Communist Manifesto of 1848. The first paragraph of this quotation does not add very much that is new that we haven't talked about. One or two items are there. You have a reference in that first sentence to the "The proletariat will use its political supremacy to wrest, by degrees, all capital from the bourgeoisie"—which indicates the developing process involved here. That it depends on circumstances that have largely, perhaps the largest conglomeration or groupings of industrial capital would [fol. 1938] first be socialized. Others later, perhaps some very late period. In other words, "the degree," a long time process, is already indicated in this 1848 excerpt. I repeat that there is nothing here indicating advocacy of force and violence. There is nothing here indicating the bringing of

terror to bear against office holders or anything like that; anarchistic, Nihilistic, anti-Marxist business.

There is another clear point mentioned here and that is the relationship of the working class to the state of the majority of the people in this new form of a state having the real power, workers being the legislators and the governors; the mass of the people in actual control of the government.

There is also the point here which is a little new in terms of what we have had in the quotation "to increase the total of productive forces as rapidly as possible." The excerpt says—this has reference to the Marxist-Leninist belief, the socialized conviction that socialism would increase production tremendously. That is the point mentioned there. That the workers, now the rulers, the joint owners of wealth, machinery, mines and so on would have full control and the incentive to enhance production. They would be able to plan production socially and collectively. The market would not be chaotic, depending on the profit incentive of individual producers. That is what part of it meant there; that the [fol. 1939] total productive forces would increase rapidly; there would be no fear of a glutted market; no monopolistic control over patents or cartels.

Also here, coming down in the next paragraph, we find parts of a sentence—let me requote it for you again. It says this in the indictment: "Of course, in the beginning, this cannot be effected except by means of despotic inroads on the rights of property—" I should think that the charge word there, in terms of the intent of the indictment, the words "despotic inroads." This again has absolutely no relation to the Marxist-Leninist theories on conspiracy or desires.

Let me say this. When have there been the most despotic inroads of property in our country? When has that occurred? It has occurred twice. Once in the American Revolution and once in the Civil War. Despotic inroads on private property in the American Revolution, the property of the King was confiscated and the property of the Torres was confiscated in this despotic inroads and during the Civil War the property of the slaveowners, which were their slaves, which came to four million dollars, was confiscated

from the slaveowners and this despotism to the slaves, to the four million people, it was freedom and to the vast mass of American people it was the enhancement of freedom.

This is the intent here of despotic inroads.

[fol. 1940] The Court:

Q. Doctor, will you explain this? It says, "all instruments of production in the hands of the state, i.e., of the proletariat organized as the ruling class"—Now, whom does the proletariat act, as the ruling class?

A. In this quotation of 1848?

Q. As intended here, of course.

A. As intended here, it has reference to the moment of transition of power, of the transformation of power. The opinion of these authors is, sir, that under the society that they saw, the capitalist society of 1848, a few ruled many. Under the society that they envisioned many, the working class, the mass of the people would in the transition period rule the few as the few ruled the many. This is what is meant by the "ruling class."

Q. Then the words "bourgeoisie" is not understood with or it has not become part of the proletariat, it becomes the class of people that are ruled? That is the intention?

A. In the transition period of establishment of socialism, yes, sir.

Q. The "capital of the bourgeoisie" is, of course, eliminated, but that doesn't indicate the elimination of the class itself, the individuals of the class?

A. No, sir.

Q. The reason I ask that it says about the "abolition of bourgeois individuality.'

[fol. 1941] A. That, as I tried to explain, it doesn't have reference to the people.

Mr. Nelson:

Q. Well, perhaps you could make a comment of it, Doctor, as you explained this point here. Is it not true or is that a Communistic view that at the present time our Representatives in Congress, for the most part, come from the capitalistic class or are tied with it and what you are saying is that those who want to carry through socialism in the fu-

ture would obviously have to be new Congressmen, new people coming from the trade unions and coming from the shops, those who understand the needs and necessities of Socialism. That is what you mean?

A. Certainly.

The Court:

Q. Of course, you are not making that statement that all our Congressmen or Representatives are all considered of the "ruling class," are you today, Doctor?

A. Principally.

Q. Principally.

Mr. Nelson: I don't know what the Doctor said.

[fol. 1942] The Court: I asked him whether that was a statement of fact or whether it was just abstract.

Mr. Nelson:

Q. Do you recall offhand the composition of our Congress?

A. Not precisely; I do generally. Generally the composition of our Congress is, and has been for fifty years, predominantly wealthy businessmen, wealthy landowners, especially those from the South and/or very wealthy corporation attorneys. Certainly that is and has been the predominant nature of the Representatives in the House of Representatives and in the Senate of the United States.

Q. So it's for that reason that Congress in the last couple of years had passed laws against labor which labor does not like and wants to repeal, like the Taft-Hartley Law?

Mr. Cercone: I object, your Honor.

The Court: Objection sustained.

Mr. Nelson:

Q. And that is what would be the same reason why they didn't want to pass the bill to eliminate the poll tax, isn't that right?

[fol. 1943] Mr. Cercone: I object.

The Court: Objection sustained.

Mr. Nelson:

Q. Did you finish your comments on that?

A. Yes, sir.

Q. All right. The 17th excerpt, which occurs on page 9 of the indictment and is quoted from the Communist Manifesto, page 44, reads as follows:

"In short, the Communists everywhere support every revolutionary movement against the existing social and political order of things. In all these movements they bring to the front, as the leading question in each case, the property question, no matter what its degree of development at the time."

"The Communists disdain to conceal their views and aims. They openly declare that their ends can be attained only by the forcible overthrow of all existing social conditions. Let the ruling classes tremble at a Communist revolution."

Do you recall reading that in the Manifesto, Doctor, and what would be your comments?

Mr. Cercone: That is page 44?

Mr. Nelson: That is what I said.

[Vol. 1944] A. That is in the Manifesto and it is on page 44.

Mr. Nelson:

Q. Will you comment on that thought or expression there?

A. In explaining——

The Court: What your interpretation of it is.

A. In explaining these two sentences I want to do the following. I want first of all to point out omissions in the quoted matter in the indictment.

First of all in the original, in the Manifesto, in this book there (indicating) is a sentence which is in between these two paragraphs which were read to you, which is omitted from the indictment. It is a brief sentence so it is not lengthy which accounts for the omission, I don't think. This is the sentence which is between these two paragraphs and is not quoted in the indictment. It reads: "finally they"—meaning the Communists—"finally they labor everywhere

for the union and agreement of the democratic parties of all countries." This is omitted from the indictment. That is in the Manifesto of 1848 and states "that the Communists labor everywhere for the union and agreement of the democratic parties of all countries." Perhaps it would look [fol. 1945] strange in an indictment which tries to

Mr. Cercone: We object to the man's opinion on the indictment.

The Court: Well, whether it looks strange or not, Doctor, that is a matter of argument and we will limit you on that.

A. All right, but this here is——

Mr. Cercone: We object to that, your Honor.

A. What do you want?

Mr. Cercone: You give the interpretations, don't tell us what you think.

The Court: Go on, Doctor. You read the omitted sentence if it throws light on your explanation. You make any explanation or interpretation to be gained by reading all of the recited part or omitted part.

A. Exactly. This helps to make clear that the concept of Communism as a terroristical, even gangster-inspired idea [fol. 1946], is false. That, if you understand that omitted sentence.

Secondly, there is another omission. The last paragraph of the excerpt, which is in the indictment, does not stop where the indictment stops. There are three more very brief sentences, almost like slogans. I think it is important that they also be read to help understand this sentence. These are the words which end the paragraph, not the way it is ended in the indictment. It ends: "The proletarians —" working people as we have seen or as I have said— "The proletarians have nothing to lose but their chains. They have a world to win, working men of all countries unite." What I want to call your attention to in terms of trying to make clear this passage is once more the feeling of justice in this call for betterment of people, for unity and notice please, unity of all peoples. A peaceful aspiration is present in this paragraph.

Now, other than that I have tried, to the best of my ability to explain several times why it is that to Marxist-Leninist the property relationships are held to be a question, as mentioned in this paragraph. To this, since I do not wish to needlessly repeat, I would like at this point only to add this again. That what this paragraph is saying is that he who controls the means of production determines what the other man, who is without the means of production, shall eat or not; he who owns the land owns the man. This is the idea. That is why property is at the heart of the matter, as this quotation says; this is no secret or mystery. That is why [fol. 1947] I repeat, Communists refer to the property relationship as the leading question, to quote this excerpt again.

Secondly, I am now referring to the last fragment which was quoted to you. I know this is hard to keep in mind and I would just like to refer again, to quote again what I have in particular reference. This is from the indictment: "The Communists disdain to conceal their views and aims." It starts the paragraph I have reference to. I have several times tried to answer the contents of that paragraph but, there is one point on this last quotation I want to make now. Communists are quoted as saying, "They disdain to conceal their views," and then what they say after this is supposed to convict them of some crime, advocacy of terror; that is why it is quoted. But basic to the whole prosecution, to the whole indictment, to this sentence——

Mr. Cercone: I object.

The Court: You are getting into the realm of argument and I will have to limit you. What it means.

A. In terms of what it means then, may I point out that this sentence says that "Communists disdain to hide their [fol. 1948] views." That was said by Marx and Engels in 1848.

The Court: That isn't the case. There is no secrecy about it.

A. That is right. In double talk that is the point I was trying to get at here.

Q. Well, the remaining part of it: "they openly declare that their ends can be attained only by the forcible over-

throw of all existing social conditions." I suppose that gets back to your other ideas that the only exercise of force is only to meet force and in resisting them in ideas results in the accomplishment of their ideas. Is that the same significance there as you previously explained to us?

A. If the Court would permit, I would rather that the Court not summarize in words and then attribute to be exactly those words.

Q. The only reason I do that, Doctor, is because I am going to have to charge this jury and I have to understand everything that you mean and I am trying to summarize it for myself, for my own benefit so that I in turn can explain it to the jury what you intended and what you mean.

A. I appreciate that.

Q. Any time I do summarize and summarize you incorrectly, I want you to be frank and tell me that such a summary is incorrect.

A. The reason I did not revert in this quotation, as I stated to the jury, was that it was repetitious of that what [fol. 1949] I have been dealing with several times.

Now, in terms of your summary, if I may again try to make this clear in the way your Honor posed it today and posed it yesterday afternoon——

Q. I think I said "self-defense" yesterday, and my purpose was to indicate a meaning of force that originated elsewhere.

A. But, sir, that is what I object to, is the possible implication. As I understand what you are saying is that there are only two alternatives, a person can either be pacifist or an advocacy of force and violence. Now, sir, this is manifestly not true. I daresay there are very few pacifists in the room. Does that mean that everybody else is an advocacy of force and violence and to be confined, sir, that these are the only alternatives, that one is either a pacifist or an advocacy of force and violence?

Q. What are the others?

A. The Communists' position, sir, is that the position of the Constitution on this question, on this question of the Constitution of the State of Pennsylvania, Article II—I forget the section, and if the Court has this I will be happy

to read the exact sentence that I have in mind to make this clear.

Q. Well, I don't have it available here.

A. May I have it, sir?

Q. I don't have it available here, the Constitution.

A. Permit me to quote from memory, understanding that this is from memory and that it may not be exactly as I re- [fol. 1950] member it, sir, the Constitution of the State of Pennsylvania. In Article II, and this is characteristic of many State Constitutions, and the Declaration of Independence, says: "That we, the people, when the majority of the people become convinced that they want a change in government, they have said the Constitution, an indefeasible and inalienable right to reform all terror, abolish that form of government and choose that which they want." This, sir, is an exact instance of the meaning of my position in reference to this question.

Mr. Nelson:

Q. And that is also the view of the Communist Party in the United States; is that right?

A. Yes, sir.

Q. And that is what you are teaching in classes and giving lectures?

A. It certainly is.

The Court:

Q. And that is, of course, the thought of the Communist Party of the United States of America?

A. Yes, sir.

Q. In other words, these expressions you are giving us, your opinion, they are the same as the ideas that are the purposes of the Communist Party of the United States.

A. Yes, sir.

[fol. 1951] Q. Are you still a member, Doctor? You said you joined in 1936 and I don't know whether you told us whether there was a termination of your membership or not.

A. I said I joined in 1939, sir, and to answer your question, I am still a member of the Communist Party.

Q. And then you are qualified, of course, to give ideas as of the date alleged in the indictment.

A. Yes.

Mr. Nelson:

Q. All right, now, the 18th excerpt in the indictment occurs on Page 9 and that is from Exhibit 16 of the Commonwealth's, appearing on page 22 and 23 of "Foundations of Leninsim" by Joseph Stalin. Are you acquainted with that pamphlet, Doctor?

A. Yes, sir.

Q. The following is quoted from the pamphlet by Stalin: "First dogma: concerning the conditions for the seizure of power by the proletariat. The opportunists assert that the proletariat cannot and ought not to take power unless it constitutes a majority in the country. No proofs are adduced, for there are no proofs, either theoretical or practical, that can justify this absurd thesis. Let us assume that this is so, Lenin replies to these gentlemen of the Second International; but suppose a historical situation has arisen (a war, an agrarian crisis, etc.) in which the proletariat, constituting a minority of the poulation, has an opportunity [fol. 1952] to rally around itself the vast majority of the labouring masses; why should it not take power then?" That is quoted in the indictment and I would like to have you make a comment on that. What is your position on that and the position of the Communist Party in the United States on that?

A. This is from Foundations of Leninism, Pages 22 to 23 by Joseph Stalin's Collection of Lectures he delivered in 1924.

Once again for clarity it is necessary for me to point out an omission; something left out. The jury will notice that the paragraph begins in the indictment with the words "First dogma". A person just reading that will logically say that the man who wrote that is putting down his first dogma, that this is some sort of a dogma; you see something not subject to change. Actually as the quotation, the whole excerpt makes clear, that is exactly the opposite of the meaning because let me show you.

The paragraph directly preceding this paragraph says: "The opportunists of the Second International —" which Stalin opposes—"The opportuntists of the Second International have a number of theoretical dogmas to which they

always revert at their starting point. Let us take a few of these." Then he goes on, "First dogma." That is the first dogma of the enmity of the opponent, not his first dogma. I hope this is clear and this, distortion, as I see it, has been made clear.

Another possible source of confusion or distortion in [fol. 1953] this indictment, as I see it, is that it may give the idea that maybe this paragraph supports the charge that the Communist movement is really a minority movement, a clique, a conspiratorial movement and not a movement of the majority for the majority, as I have tried to show you. We believe this might be or appears to be the idea in quoting Stalin and Lenin as this passage does and rejecting the proposition that the proletariat must itself be the majority before the transfer of power can be accomplished, inroads to Socialism entered. But actually the quotation proves exactly the opposite of the idea that Communists are a minority clique, seeking through terror to gain power because please notice that the quotation says that in the case where the proletariat itself, the industrial workers, are a minority of a country, as was true in Czarist Russia, for instance, or in China, that where they are a minority—but says the quotation—if the vast majority of the laboring masses—other than the industrial worker, clearly such as the peasants, intellectuals, all workers, professional workers or especially oppressed people—for example this was written in Russia, especially oppressed people in Russia and like the Georgian people or the Jewish people are particularly oppressed in Czarist Russia or in the United States are especially oppressed; people like the Indian people or the negroes or Mexican-American people. That is the intent of this. That it states this, if the proletariats, being the minority of the particular country, can [fol. 1954] rally to itself—those are the words—the majority of the other people, if it has that majority in its support, says the quotation, then why should it not take power? This is exactly the point. Please notice, then—only then—with the majority in the actual indictment, from the accusation. So much I want to say about that particular quotation.

The Court:

Q. The majority of the laboring masses might or might not, however, include a majority of the people in the country?

A. No, sir, that is not correct. The majority of the population anywhere, historically, of those who work, of those who depend for their livelihood on their own labor, that majority everywhere has been and is the majority of the population of the country.

Q. One other question on that. Getting back to the original statement then, that would make a distinction then between whether you are known as the proletariat and the laboring masses, would it not?

A. A distinction, sir, in part of a whole, yes, sir.

Q. In other words, the proletariat would be just part of the laboring masses?

A. Yes, sir.

Mr. Nelson:

Q. On the next page in the indictment we come to ex- [fol. 1955] cerpt No. 19, it's on top of the page and it is quoted from "Foundations of Leninism", page 24. "Does not the history of the revolutionary movement show that the parliamentary struggle is only a school for and an aid in organizing the extra-parliamentary struggle of the proletariat, that under capitalism the fundamental problems of the working-class movement are solved by force, by the direct struggle of the proletarian masses, their general strike, their insurrection?" What is the meaning of that and what does it have reference to?

A. That passage comes from the Foundations of Leninism again by Stalin in 1924. It's on page 24.

Taking the passage and going over it line by line, except where it becomes again needless repetition of what I tried to say many times on the theory of "revolution", was find in this passage, in my opinion, the following rather clearly stated.

First, Marxism-Leninism says that the political activity of the working class and of a working class party, such as the Communist Party, is not confined—most certainly is not confined to the immediate election of the moment in which

one actually goes to vote or considers whom he is to vote for. Nor is the political struggle confined to the halls of Congress or to the State Legislature. It is not so confined in the views of Marxism-Leninism.

Marxism-Leninism holds, of course, as this indicates, that elections are vital, educational processes and vital [fol. 1956] governmental institutions, such as Congress and the State Legislature, that they are key bodies of the highest importance but we insist, Marxism-Leninism insists and this passage says, "That is not all there is to politics." That is the meaning of "extra-parliamentary". That is "extra" from the Latin meaning outside of, in addition to, besides. That's what it means, "extra-parliamentary." That is in terms of political works; the day-to-day working of the politicians against inflation or "Jim Cow" or high rents or whatever the issue may be which are of interest to the people in his party or political campaign and the parties take stand on it. Our idea here is—what it says here is that this is part of the school, part of the politics; that is what that means. "Bread and butter" matters which confront people every day and that Marxist-Leninists take stands on those issues and does that convince the people that what it believes on these issues is correct; that the people should believe that way also. So much for the first part of this "extra parliamentary" business.

Now on the "Marxist-Leninist" theory of revolution again contained in general in this paragraph. As I said, we have commented in length and I don't think it is necessary for me to comment on that again at this time.

I do want to say that the passage says that history shows that there have been general strikes, insurrections, that [fol. 1957] there have been revolutionary outbreaks. This is certainly true. Everybody knows that there have been and history shows that in every country from Haiti to the United States, from Turkey to France, revolutionary outbreaks and in turn insurrectionary activity. Every country shows the same and no country nor city more richly than the very City of Pittsburgh in 1877 what the papers of the time called "The Insurrection of the Working Class" when the Pittsburgh workers here in this City were shot, 25 killed by the militia and they outraged and shot down—

they were on strike then, the railroad strike in the middle of the great depression, resisted this force and violence in which men, women and children were killed and they drove out the militia in the face of this terrible terror. The papers refer to this as an insurrection; that the working people have resisted this mass murder. I will show—history shows that it occurred in all countries, in all cities, including the City of Pittsburgh, please observe, of force and violence as brought to bear by the rulers.

Q. That is all you wish to say on that?

A. I think so.

Q. On the same page, page 10 of the indictment, again reverting back to Exhibit 16, the Communist Manifesto—no, not the Manifesto, the Foundations of Leninism on page 28, the following part of a sentence was quoted: "—theory can become a tremendous force in the working class [fol. 1958] movement if it is built up in indissoluble connection with the revolutionary practice—" and then that appears not to be the end of the sentence as there are dashes and quotation marks. What is your comment on that, Dr. Aptheker?

A. Well, first of all, I think in fairness the least we could do is quote the whole sentence because this indictment does not here even quote a whole sentence. It quotes part of a sentence of a 127 book, so, I will undertake to quote the whole sentence. The sentence from which this part—from which this sentence is extracted, reads as follows:

"But theory can become a tremendous force in the working class movement if it is built up in indissoluble connection with the revolutionary practice; for it and it alone can give the movement confidence, the power of orientation and an understanding of the inherent connection between surrounding events for it and it alone—", the sentence concludes "—and the practice discern not only how and in which direction classes are moving at the present time but also how and in which direction they will move in the near future." You can read the paragraph if you wish. I will complete the sentence.

Mr. Cercone: Will you complete the paragraph?

[fol. 1959] The Court: Not necessarily. They may read what excerpts they wish.

A. May I just answer him this way?

The Court: I just want to say that I wanted, in order to get through this sometime, to confine ourselves to the quotations in the indictment.

A. I know when you cross-examine you will not confine yourself to anything.

Mr. Cercone: I will confine it to what we are talking about.

The Court: Yes. We are not going to start reading books. We permitted excerpts of importance to be read by both sides and you may read additional excerpts to demonstrate your ideas and interpretations within certain limits so we will try to be fair on both sides. If you don't want to read anything else, why, the district attorney will bring it out on cross-examination or rebuttal. In other [fol. 1960] words you needn't respond to his request to read it at this time.

Mr. Nelson:

Q. Since this fuss was raised by the prosecution, it may appear later or it may be that he is going to make a big point out of it later that there was something hidden here by you. I wish you would read the rest of that, that is the next sentence that follows the one you quoted so that there will be no mystery created here.

A. I will be glad. I don't have the book.

Q. I have it right here.

A. I don't know how well I will be followed now, there has been quite a time, but anyway the next sentence reads, "None other than Lenin uttered and repeated scores of time the well known thesis that—" and then he quotes "Lenin"—Stalin quotes Lenin—"—without a revolutionary theory there can be no revolutionary movement." This quotation is taken from the "Selected Works" of Lenin Vol. 2, which I don't see here. Vol. 2 is very early. I just want to make the point it's a very early volume and would probably be around 1890.

Q. All right, Doctor, you go ahead and make your comments which you could not make before.

A. That additional sentence does not change the comment which I wish to make. What that means, that paragraph that we read is the "Unity of Theory and Practice." That's what that means. It means that one must test his theory on [fol. 1961] the basis of actual experience; on the basis of what actually happens and develops. It means like you and I say, "to the proof is in the eating." The proof is in the eating of the pie. You have a cook who reads the book with great care; he bakes a pie, you taste the pie, it's no good. You say, "Well, my friend, you know the theory very well, you read this book, but there is something wrong with that theory because the pie is no good. The practice is no good." On the other hand you can have someone who makes a pie and does not read the book at all. You taste the pie, it's also no good. You say to him, "What you failed in was your theory, your theory is no good. Read the book and maybe you will make a better pie." If is the unity of theory and practice to which that has reference; this is a fact of everyday life.

To further make this, it was Karl Marx who said that: "When an idea seizes the masses of people, it becomes an irresistible power." That's what this means, the unity of theory and practice.

One further point, if I can make this. This is true of all movements seeking changes, the necessity of unity of theory and practice. It is not something unique to Marxism-Leninism. This is the point I wish to make about this. You have to have a sound theory if you are going to have a sound movement of any kind. If you seek the abolition of slavery, [fol. 1962] for instance, some people said—Garrison, "The theory——"

Mr. Cerone: We object as this is being argumentative.

The Court: We will let him explain this theory. Proceed, Doctor.

A. Thank you, sir. His theory, Garrison's theory, in the abolitionist's movement, was that the Constitution of the United States was pro-slavery and that, therefore, the abolitionists should have nothing to do with the politics, not to vote, to put up a candidate, in fact should encourage the separation of the South. That was one theory, in the wing of the abolitionists.

There was another theory, led by Frederick Douglass. Douglass said, "That's not true. The Constitution is not pro-slavery, it's really in essence and in spirit anti-slavery." That was his theory. Therefore he said, "Garrison is wrong when he tells us not to engage in politics and not to seek the election of people who want to do away with slavery. We must engage in this, under that Constitution, and elect people who hate slavery and this will help us to do away with it." See what I mean? They had a different theory. Having a different theory they didn't—to phrase it, the "Proof of the pudding is in the eating." Which theory was right? [fol. 1963] Douglass was right, the theory of Garrison was wrong. It's tested in life, that's what I mean.

Q. Do you have anything more on that?

A. No, sir. I think that answers it the best I know.

Q. All right. Now we go again to the same exhibit, Exhibit 16, on Page 35, "Foundations of Leninism." The prosecution quoted the following words: "Now, we must speak of the world proletarian revolution; for the separation national fronts of capital have become links in a single chain called the world front of imperialism, which must be opposed by a common front of the revolutionary movement in all countries." What is the meaning of that quotation?

A. That is a passage from "Foundations of Leninism" by Stalin; it's on page 35.

I can see that it is possible in excerpting this sentence to convey the idea, which I believe is false and slanderous, to convey the idea that revolution is exported, that it is something exported—"which must be opposed by a common front of the revolutionary movement in all countries." The impression that it is not native, that it is alien. This is false.

Marxism-Leninism is filled with the intent and stands upon the fact that the movement for socialism is produced by the system of capitalism. This movement long antedates—Coming long before the revolution in Russia.

In reply to this sentence I want to make the point to [fol. 1964] you that the idea of socialism is an old idea and an old idea in our country. It is an idea that goes back to—before the Eighteenth Century; in the seventeen hundreds for the Utopian Society, and in the eighteen hundreds

it goes back, I repeat, to people like Wendell Phillips or Albert Brisbane or Horace Greeley; people who put forth the concepts of socialism long before the Russian Revolution and most particularly in terms of Marxism-Leninism. Again to point to the alien character, actual Marxist groups, actual Communist groups go back to before the Civil War. The first Communist club was founded in 1857 in New York, and Marxist existed then and participated in politics then, including the politics of the Republican Party of the left wing, helping to elect Lincoln.

The quotation further says that there is "a world front of imperialism". That is a fact. It is less of a fact now than it was when it was written in 1924 because part of the "front of imperialism" have been broken, cracked. People have changed it, like in China, but it is still basically true that you have "a world front of imperialism". That is still basically true. There are large parts of the world where a few monopolies control the basic resources of the country and you have imperialism. This is a fact.

In this excerpted passage Stalin makes reference to that fact and he makes reference to the fact that there is a world-wide struggle against that imperialism. Now, that is [fol. 1965] a fact, that is why the British left Iran, the Anglo-Iran Oil Company. They left because the struggles in Iran——

Mr. Cercone: We object to that, your Honor, as going far afield.

The Court: Limit yourself to the opinion here and not give statements of fact concerning other matters, please, Doctor.

A. All right. There is then in many places in the world the existence of this imperialism. This quotation says that—it says that there is and there certainly was in 1924 a "world wide front of imperialism". There is nothing in that paragraph to indicate an advocacy of violence or the presence of foreign domination or an alien source to the movement, Communist movement.

Mr. Nelson:

Q. Again from the Exhibit 16, which is the "Foundations of Leninism" on Pages 36 and 37, the following words

are quoted: "Where will the revolution begin? Where, in what country, can the front of capital be pierced first?

"Where industry is more developed, where the proletariat constitutes the majority, where there is more [fol. 1966] culture, where there is more democracy—that was the reply usually given formerly.

"No, objects the Leninist theory of revolution; not necessarily where industry is more developed, and so forth. The front of capital will be pierced where the chain of imperialism is weakest, for the proletarian revolution is the result of the breaking of the chain of the world imperialist front at its weakest link; . . ."

It is not precluded that the chain may break in India. It was stated by Stalin in 1924; is that right?

A. Yes, sir.

Q. And what are your comments on that, Doctor Aptheker?

A. The comment is the following.

The Court: I think that is a very long section to discuss within a few minutes that we have before the lunch hour and we will recess now for lunch and resume at 1:15.

Noon recess.

[fol. 1967] Thursday, January 17th, 1952.

Afternoon session.

Dr. Herbert Aptheker, having been first duly sworn, testified as follows:

Direct examination.

Mr. Nelson:

Q. Now, just as we left this morning we were—we quoted the paragraph in the indictment from Foundations of Marxism by Stalin which appears on page 36. I don't believe I need to re-read it to you. You have it before you, Doctor Aptheker?

A. Yes.

Q. What is your interpretation of this particular para-

graph quoted? Would you please explain? You have it or shall I read it to you?

A. Yes, I am just trying to reread it for a second if it is all right. As I say and as I see this paragraph, actually two paragraphs in the section which is taken from the Foundations of Marxism by Stalin, written in 1924, one of the essences, one of the main points, which subject and extract may obscure or hide or not disclose it to give one the impression that the Marxist-Leninist view is one which does not hold with the necessity of the majority support. As I have said repeatedly, this is false and on the essence of Marxism-Leninism is the majority. It is a majority movement. That is in the words of the Communist Mani- [fol. 1968] festo, on a page of that Manifesto not quoted in the indictment extract. The Communist movement quoted in the Manifesto is the extraction of the independent movement of the immense majority and the interest of the immense majority. This is a fundamental aspect of Marxist-Leninist views.

Further, a possible distortion comes in this excerpt once again from the fact of omission, from the fact of having left out—as a matter of fact, in looking at the indictment the jury will see that in the middle of the quotation there are several dots after one of the words, the word "Lincoln"—these dots indicate and this a known practice that something has been omitted. Now that comes toward the end of what was quoted to me after the word "Lincoln", there is an indication of omission and the indictment goes on.

Now in that omission an entire paragraph is omitted from the indictment excerpt. To understand what is before me I am afraid it is necessary to ask what is the point of the paragraph which was left out or the heart of this material quoted.

Now the point of that paragraph from pages 36 and 37 in Foundations is that one may have published where the development of capitalism by the growth of industries and the development of capitalism is less complete than in other countries. And that one may have in such countries where the development of capitalism is less complete a more intense hatred by the masses of the people of the rulers of

such countries. That is what this paragraph says. So that in such countries, the paragraph continues, the vast ma- [fol. 1969] jority of the population might want a change in their government and in their social order. And says the paragraph omitted from the indictment, therefore—therefore change, this alteration in government might succeed in such country, for example, that is, in those countries where capitalism is not fully developed as in other countries.

Also in this omitted paragraph it is very important in order to understand this excerpt to know that Stalin is making the point that exactly this happened in Russia. He is talking about the Russian Revolution and he makes that point there and I would like to leave that to you; it is between the quotation of this work, between the quoted material. That is, it is on page 36 and it is the last paragraph of 36 of the Foundations. He said—I am now quoting: "In 1917 the chain of the Imperialist World Front proved to be weaker in Russia than in the other countries. It was fair that the chain gave way and provided an outlet for the Proletarian Revolution. Why? Because in Russia a great popular revolution was unfolding, and at its head marked the revolutionary Proletariats, which had such an important ally as the vast mass of the peasantry who were oppressed and exploited by the landlords. Because the revolution there was opposed by such a hideous representative of imperialism as Tsarism, which wracked all moral prestige and was deservedly hated by the whole population. The change proved to be weaker in Russia, although that country was less developed in a capitalist sense than, say France or Germany, England or America."

[fol. 1970] Then comes the remainder of the quotation in the indictment, namely: "Where will the chain break in the near future?" Where will the chain break in the near future? Again, where it is weakest. It is not precluded that the chain may break, say, in India.

I think it was important to give that full quotation in order to substantiate the point I was making when I began my discussion of this question here on the stand.

I say again that it is perfectly clear that the whole essence and point Stalin is making here is the necessity for vast support if the social movement is to succeed.

Now this is the point and it is the impression of many others intended or otherwise that this is part of a minority movement.

Now, in the terms of the last sentence given to me, as is bringing in India, I really don't understand what this has to do with force and violence in general for the Government of Pennsylvania. One further point, if I may, this quotation which was offered here in the indictment which that helped to refute another idea in other of the extractions which were offered to me in terms of the—in terms of something which is repeated for all times and all places. That is false as we see in looking at some other extractions and this particular extraction again shows this was false that Marxism-Leninism wasn't so because this particular quotation points [fol. 1971] out that while hitherto it had been embodied in the Communist Manifesto where socialism could not come where capitalism is most developed that while it is in the Manifesto Lenin and Stalin is saying it is not correct. They are saying it is not right, that conditions have changed, conditions have changed and they are indicating a disagreement with this concept of the Manifesto. I just want to point out that the very quote given argue against the dogma contrary to Marxism-Leninism. And then your explanation on this point means, does it not, that Stalin in this instance was arguing against the social democrat who used the Manifesto in a little sense and who sensed a change to socialism can't take words in a backward country where Lenin and Stalin showed you could take place other than where industrial develops, is that right?

A. That is correct.

Q. So they did not accept the Manifesto as a dogma to teach other irrespective of the situation?

A. No. On the contrary they are mortifying the conception of the Manifesto in 1924 as compared to 1848.

Q. Isn't that what is generally referred to in Communist language and amongst Marxists generally that Lenin developed Communism after Marx died but did not exist at the time of Marx and Lenin and Stalin theories further rejecting certain ones they considered wrong?

A. That is correct and this is an example of such developments.

[fol. 1972] A. That is all.

Q. In the same exhibit, Foundations of Leninism, page 45 and 46, the prosecution quoted the following sentence quoted in the indictment: "For this victory of the revolution in at least several countries is needed. Therefore, the development and support of revolution in other countries is an essential task of the victorious revolution. Therefore, the revolution in the victorious country must regard itself not as a self-sufficient entity but as an aid, as a means of hastening the victory of the Proletariat in other countries."

Lenin expressed this thought in a nutshell when he said the tack of the victorious revolution is to do "the utmost possible in one country for the development, support and awakening of the revolution in all countries."

Q. How do you understand by what is in the Communist' position, and interpretation of that particular quotation. Would you explain, please?

A. This is also taken from the Foundations of Leninism in 1924 on pages 45 and 46.

Once again it is necessary for me to point out to you certain omissions and the body of the quotation. For example, the first sentence just read to me begins with the words "for this—it begins for this victory of the revolution in at least several countries is needed. It seems to me clear that any reasonable person reading this sentence, this extract, would say, what did the writer mean when he said "for this." In other words, for what is this since the quo- [fol. 1973] tation began with those words. This is an excerpt, extract and can't be understood because you don't know what this is.

I want to also call your attention to the following, that these two paragraphs follow each other in the indictment, one after the other but they do not follow each other in the book. Between them in the book is another paragraph. It is necessary, therefore, that I partly explain to you what is meant by this when it begins "for this" and to point out what is omitted between these two paragraphs. To point out this way it is possible to get the impression particularly if one person were held to the quote.

Mr. Cerecne: Your Honor, I object to this.

The Court: Objection overruled.

A. It is possible particularly if one person were held to the quotation accepting it to get the idea that the Communist movement again is sometimes of a foreign one, is an agency of some foreign source.

Actually Stalin begins this passage by referring to the successful change; to successful transformation of power in a country from rule by the big monopolists and landlords who rule by the working people and the peasants. He then asks and this is what *proceeds* the words before this and make it clear, he then asks, does this mean that it will thereby achieve a complete and final victory of socialism. [fol. 1974] Does this mean with the failures of one country it can consolidate a socialist there.

This is a quote from Stalin from the Foundations of Leninism preceding the quoted matter in the indictment. The quote is as follows: "Does this mean that it will thereby achieve a complete and final victory of socialism, that is, does it mean that with the forces of only one country it can finally consolidate socialism and fully guarantee that country against intervention, consequently, also against restoration? No, it does not."

Then comes the quote from the indictment given by the indictment. Please observe them that the words in the indictment for this refers to what I have just quoted, that is, these refer to the final consolidation of socialism and a full guarantee against intervention. That is invasion by outside hostile power.

Now when this is understood then the excerpt begins to make a certain amount of sense, I think may be, that so long as in this Soviet Union, and please remember this was written in 1924—that is, it was written three years after the last interventionist who had proof, had left the Soviets. It means so long as the USSR was surrounded by hostile capitalist power there was no guarantee against intervention, no guarantee.

The last of the interventionists of that period had just [fol. 1975] left there in the '30's and the intervention was to come from Japan or Hitler, Germany, again.

Now I ask you please to follow me a little further. Observe that the next paragraph in the indictment which was read to me begins "Lenin expressed this thought." Now,

however, it was that while the indictment has one paragraph following the other actually there is a paragraph in the book between them, so that when the indictment quotes Lenin expressed this thought, it is not the thought of the indicted quotation. It is the thought of the omitted paragraph. That is what he means "Lenin expressed this thought." He means the part just preceding. So we have to look at this sentence and it seems to me to be reasonable, the sentence which precedes the words omitted from the indictment. Here is the sentence: "Therefore, the revolution in the victorious country must regard itself not as a self-sufficient entity but as an aid, as a means of hastening the victory of the Proletariat in other countries." Now this is the thought expressed in another place, the language of the quote by Stalin given in the indictment. What does it mean. It means what the old excerpt means, is that the entire capitalist world will be the sworn enemy of the single socialist country and will do all that it can to destroy it. Therefore, the one country alone cannot guarantee its security. That, however, the success of the socialist intervention in one country, that that success will itself—that is the words of the quote—thereby of itself is an encourage-
[fol. 1976] ment to others who believe in the possibility of socialism elsewhere.

The success of the socialism in one country, the building up in that country will inspire people of other countries, will show them it can be done because it has been done. This is the essence of that meaning. There is nothing in here of an abolitionist revolution or some cloak and dagger Gary Cooper who secretly stimulated deluded puppets to kill somebody.

I want to make one further point in order to do my best to convey the meaning of this passage. Namely: "It is a fact that successful revolutions of the past have always encouraged people elsewhere, have been stimulated. There are two reasons for this to understand in this passage. First: a revolution could not succeed anywhere as we have defined a revolution, as a basis of the history, it could not come anywhere unless the people generally of the socialist society was ready for such a transformation. Second: once a transformation occurs in one place, by that fact it

encourages such transformation elsewhere. To make that point perfectly clear—who does know that our American Revolution stimulated the people of France; who does know that that revolution stimulated the people of Haiti. Everybody knows this and this is something to be thought of, I think. This is the evidence of encouragement and this is what is meant.

Q. Before we go into the next one, the next question you referred to, the situation which you say Stalin just at that [fol. 1977] time, dealing with intervention against the Soviet Union. You mentioned Japan as one country that had troops in the Soviet Union at that time or prior to 1920. Were there any other countries that intervened to destroy the first country?

Mr. Cercone: That is objected to as we didn't want to get into that.

The Court: That is the use of the excerpt rather than the historical basis and I will have to sustain the objection on that.

Mr. Nelson:

Q. This statement by Stalin is not based on imagination, is it. It is based on facts, isn't it?

Mr. Cercone: That is objected to.

The Court: The objection is overruled.

A. It certainly is based on a historical fact, yes, on the fact of intervention.

Q. By scores of countries against the Soviet Russia?

A. That is correct, by several countries. I happened to mention Japan because that is the last one whose troops left there. It was so recent Stalin wrote this, it was written two and a half years before.

Q. Now to come back to Exhibit 16 again and on page [fol. 1978] 11 of the indictment the next question from Foundations of Leninism is quoted from page 48, the following quotation is given: "The fundamental question of revolution is the question of power." (Lenin.) Does this mean that all is acquired is to an empire, to seize it? No, it does not mean that. The seizure of power is only the

beginning. From many reasons the Bourgeoisie that is overthrown in one country remains for a long time stronger than the Proletariat which has overthrown it. Therefore, the whole point is to retain power, to consolidate it, to make it invincible. What is needed to attain this? To attain this it is necessary to carry out at least the three main tasks that confront dictatorhsip of the Proletariat: "On the 'morrow" of victory: (a) To break the resistance of the landlord and capitalists who have been overthrown and expropriated by the revolution, to liquidate any attempt on their part to restore the power of capital; (b) to organize construction in such a way as to rally all the laboring people around the Proletariats, and to carry on this work along the lines that pertain to the liquidation, the abolition of classes; (c) to arm the revolution, to organize the army of the revolution for the several against shown enemies, for the struggle against imperialism.

The dictatorship of the Proletariat is needed to carry out, to fulfil these tasks.

Now will you please explain the meanin, of these statements or this concepf as given here and what is the [fol. 1979] position of the Communist Party of the United States? How does it interpret these things in this country?

A. Because of all that has preceded in my rather long testimony it is not necessary to be very lengthy in trying to make clear these passages. Much has been explained already from what I have said to you, I hope. This I will say about it: in this passage once again I wish to point out that this passage refers to the State as the whole process of revolution which we have already described, has been tapped with victory. That is, in this case, as the mass of the people have succeeded in gaining State power and are the legal government. That is what this passage has reference to. Then at that point Stalin is saying and Lenin is saying that the defeated reactionary, the minute minority will not accept the verdict of the majority even though that majority is now the legal government. It will not.

Please remember they were writing in 1924 in the USSR on the basis of an experienced fact that the Tsarist ruling

class did not organize armies against the Government of the USSR. This organized control revolutionary force of violence is to be resisted by the majority of the people through the arm of their government is what Lenin and Stalin are saying. In terms of the Russian experience the arm of this government in Russia was what the called the Dictatorship of the Proletariat. That is the rule in Russia by the industrial workers arise with the mass of the peasantry. This government resisted forcible efforts on [fol. 1980] the part of a minority to destroy it by violence. To make that point clear of the essence of the understanding in that passage is the fact and it is present in this passage in the historical review. That this necessity of guarding a successful transformation of power has always faced history, always this necessity has been here. For example, necessary to understanding, that is the fact. That when in our country, the Government of Lenin destroys the government of these slave owners. It could not, that government could not rest at that, it had to sweep out the personnel of the slave owning government. It franchised the guy, the right to vote of the vast masses of negroes who had been slaves and the poor white peoples who were not able to vote. It gave them power to maintain their existence against the violence at that time. It was a case of the other who tried by force to undue the liberty of the Negro people and restore a system of slavery. This passage Lenin and Stalin say that this attempt, the forcible overthrow by the reactionaries after the majority assumed a right to choose the kind of government they wanted will be made, and that the majority of the people having the government, are they bound to resist this effort by the minority who forced, to overthrow their government. This is the meaning of this passage.

Q. Now in the indictment on page 12 there is a long section, four pages which have been stricken by virtue of the [fol. 1981] fact the pamphlet excerpt introduced in evidence, so we are not required to meet that. Now this is an excerpt, excerpt 26, that we want to call to your attention or to the jury, and this quotation comes from Exhibit No. 21, that is the History of the Communist Party of the Soviet Union introduced here in evidence. Are you familiar with

Exhibit 21, the History of the Communist Party of the Soviet Union, Dr. Aptheker?

A. Yes, I am.

Q. You read the book and you understand its meaning, its main import?

A. Yes, I have studied the volume.

Q. When was it written?

A. 1939.

Q. Who was the author of the book?

A. Actually it was a committee of people who wrote it under the headship of Joseph Stalin. The chief author is Joseph Stalin.

Q. Is this book considered an important contribution to Marxist-Leninist, Dr.?

A. Yes.

Q. On page 9 of this book the prosecution has inserted the following words and quoted the following paragraph: "Marx and Engals thought that it was impossible to get rid of the power of capital and to convert capitalist property into public property by peaceful means, and that the working class could achieve this only by revolutionary violence against the Bourgeoisie, by a Proletarian revolution, by establishing its own political rule—the dictator-[fol. 1982] ship of the proletariats—which must press the resistance of the exploiters and create a new, classless, communist society."

What is your understanding of that statement as understood and held by American Communists?

A. Once again there is nothing particularly new in this excerpt from this book and I will therefore reply to it in this way. Revolution, historical principles of revolution comes because the vast majority of the people find life intolerable under the old system. They find conditions unbearable. If they do not find it so there will not be a change from one society to another and once the old ruling class is incapable of ruling in the old way anymore. This old ruling class, these rulers faced with the plight of the future turned to violence to get their way out of the principles of history to destroy the advance of the people. I believe Marxism-Leninism believes and teaches that the masses of

the people, the democratic forces, the forces of progress finally resist and in some cases when it reaches this stage, finally resist the discord and violence to or use by the reactionaries and in resisting the forces of new freedom. In resisting they overcome the reactionaries and then a new kind of state, a new kind of ruling class appears. In insist also that the old class do not give up. It never gives up, and if it can bring in some foreign ally it will as a branch of the monarchy did in the 18th century. The old will make war on the new but if the new is to exist it must [fol. 1983] resist the attack or decay. That is the meaning of the question. It is the lesson of history and it is true.

Q. From the same book, Exhibit No. 21—I haven't got the page.

A. I have it in my notes.

Q. Yes, what is the page?

A. It is page 111, if my notes are right.

Q. The following paragraph is quoted: "Since the transition from capitalism to socialism and the liberation of the working class from the yoke of capitalism cannot be effected by both changes, by reforms, but only by a qualitative change of the capitalist system, by revolution." What is your understanding and interpretation of that—what is the Communist' position on that in the United States?

A. Once again in essence this sentence taken from that book has been explained several times. Therefore, I will try to make some additional comments based on the sentence. We note the evidence in the sentence itself as to the processes and character of Marxist-Leninist concept of revolution, the historical process and that revolution is not some sort of a sudden violent overturn. This is based to the Marxist-Leninist concept. The classes of change that socialism differs from capitalist basically, fundamentally, that is, that it is not simply a reform of capitalism—what does that mean? It is based because it involves changing the proper relationship. It does go to the heart of the social organization. I would like to make that clear [fol. 1984] again in this way. This is not something certainly new and is of the essence of all transformation. In terms of our own experience the slave holders said that the abolishionists were the foes of private property. The

slave holders in saying that were wrong. The abolishionists were deposed of a particular kind of private property, mainly slave property, but please observe that the abolishionists were revolutionary in exactly this sense because they did get to the roots of the order, the property on which slavery was based and they wanted to change that. That is revolutionary. That is the meaning of it.

We say then, I repeat, the abolishionists were not the enemies of the property—they were the enemies of a particular kind of property. This is the essence of that in terms of historical principles of revolution as directed to a change and property relations.

Q. And that is the basic conception that the American Communist Party hold. Isn't that right, in reference to revolution?

A. Yes.

Q. It has to with the idea of the change in the status, not forced, in relation to property and ownership of property rather than some kind of violent severance. Isn't that right?

A. Absolutely.

Q. I show you here Exhibit 19 introduced by the prosecution, known as the Twilight of World Capitalism, written by William Z. Foster. Are you familiar with this book, Dr. Aptheker?

[fol. 1985] A. Yes.

Q. No doubt you have read it?

A. Yes, I have read it.

Q. And you are familiar with it?

A. Yes.

Q. Would you tell us briefly a few words about the author?

A. William Z. Foster is chairman of the Communist Party of the United States and a veteran of 50 years of struggle in the American Labor Movement.

Q. There is a long quotation or there are actually two from paragraph, quoted from page 31 and part of it is quoted from page 37 of this booklet. I don't know why they are put together and why they aren't handled separately by the paragraph. It reads: "American capitalism

is like sort of monster parasite, living on the body of the rest of world capitalism; it is canibalistically devouring the other capitalist countries and growing fat upon their life substance."

American imperialism is like a monstrous, an all-consuming spider. It has sucked up most of the available gold supplies of the capitalist world and horded them away at Fort Knox; it has made nearly every capitalist nation in the world its debtor; it is stripping the various capitalist nations of the foreign margin, of their economic strength and of their national independence. It has set up a more or less definite political control over all the important capitalist countries in the world. Now it is stretching out [fol. 1986] its claws for the new S.S.R., the European new democracies, and the colonial and semi-colonial properties, in the hope that it can overwhelm them and devour them at its leisure. This is the parasitic, cannabalistic rule of American capitalism in the world today."

Now you have read that and what is your explanation and interpretation of what Mr. Foster has to say?

A. This probably would require a great deal of time and if I am permitted a fair amount of time I would appreciate it.

The Court: Proceed.

A. I say that because it does bring in something different than most of the other passages in the indictment, that is the whole Marxist-Leninist of American monopoly capitalism and/or American materialism.

I will do my best here to explain these two paragraphs that these concepts as understood by Marxist-Leninists. First: When Mr. Foster and when Marxist-Leninist referred to American Imperialism as they do in these two paragraphs, they mean monopoly-capitalism, when they refer as they do in these paragraphs to American Imperialism, they have in mind the monopolists, to giant financiers, to Morgans, Rockerfellers, Mellons, Duponts and so forth. They do not mean the mass of the American people, on the contrary they exclude from this the mass of the American people. I would like to show that in this book, the book

quoted by the indictment because the very sentence which [fol. 1987] follows the first sentence quoted in the indictment makes this point clear that I have just indicated to you, because after the first sentence quoted to me in the indictment follows this sentence, quoting Mr. Foster, page 31. "One of the biggest illusions from which vast numbers of Americans suffer is their failure to realize that the United States is an imperialist big country—in fact, the most aggressive empire in the world."

Now the point I want to make in quoting that is to say that one may agree or may disagree factually with the content of that sentence, but one must agree that the writer of that sentence is distinguishing between the imperialist and the mass of the American people. That is point No. 1.

Point No. 2: "In this passage read to us, Mr. Foster speaks of American Imperialism, so does Marxism-Leninism, the concept of imperialism is basically used by Marxism-Leninism. To understand the passage it is necessary to have some understanding of what Foster means when he speaks of imperialism and what Marxist-Leninist means when they refer to imperialism. There is no mystery about this in my opinion and I wish to say it is not only Marxist Leninism that have spoken of the existence of American Imperialism and its nature. On the contrary Marxist-Leninist writing on imperialism is based on other writings by people not Marxist-Leninists and what they have said about Leninism. Here is the fact, here is the main thing of this passage in terms of imperialism the best I can [fol. 1988] give it here. I said that this concept refers to American monopolies, American monopolies' capitalists and the essence of the meaning of imperialism. What does this mean? It means that the economy of our country is and has been for years, in the opinion of Marxist-Leninist dominated by a handful of people of the monopolists who control the means of production, transportation and communications and who, therefore, exert a very great influence on our politics, domestic and foreign. This fact, as I understand it, it is important to say it is believed not only by Communists but the factual material which is basic to this idea of Communism, which that, is that which is given out. For example, by the Government of the United

States, official documents of the Government of the United States substantiating the reasoning that I have just tried to make. This substantiates the defense which I have just tried to offer to you. There are many such studies by the Government which prove the monopolies' domination of the American people, of America, to which Mr. Foster has referred in this passage. There is a Government study which says——

The Court: Just a moment. I am afraid I will have to stop you again as we feel that you are supporting his ideas of something else. You may give your opinion.

[fol. 1989] A. May I then, sir, make the statement and you will strike this out of Court if it is wrong?

May I make the statement, as a matter of fact, which can be substantiated by quotations that there are many Government studies by the United States Government published in the recent chapter which asserts the monopoly domination of the United States economy.

The Court: You may not. We will strike the remark out as not proper.

A. The fact I face the greatest difficulty in trying to make clear what Mr. Foster means in his passage when he speaks of American Monopoly Capitalism.

The Court: You can give your opinion of what it meant. Support your opinion. You have been qualified as someone specializing in this field and based on those you may express your opinion. You can do it to the fullest extent but we will not permit you to bring supporting data from some other source. We will assume you are qualified to express an opinion and your opinion is thus. In other words, we will assume you have read many things, things not mentioned here but to bring them in to support your position I will have to stop you on that.

[fol. 1990] Mr. Nelson?

Q. May I then ask you a number of questions that may bring out the point you want to bring out, Dr. Aptheker?

A. I am willing so long as I get to the point.

Q. So far as my defense is concerned here when I refer to imperialists I mean the country—in fact it was Matt Cvetic's main testimony.

Q. Isn't it true, Dr. Aptheker, that Woodrow Wilson has stated the masters of the Government of the United States are the combined capitalists and manufacturers of these United States?

Mr. Cercone: That is objected to.

The Court: That is repetition of what was brought out on cross examination by the defendant here. The witness must know and I think he undertook to answer it and we will permit the answer.

A. That is an exact quote of Mr. Wilson in 1919 when he was campaigning for president.

Q. He was at that time president of the University of Princeton?

A. I think at that time he was governor of New Jersey. He had been president of Princeton, that is to the best of my recollection.

Q. You recall a statement by President Roosevelt in 1938 which stated: "Private enterprise is ceasing to be free enterprise. It is, in fact, becoming a concealed cartel system on a universal model." Do you recall that statement?

[fol. 1991] A. Yes. President Roosevelt made that.

Q. And when he spoke of cartel systems, what does that mean to you as a student of political science? What does that mean, something other than imperialism or something akin to imperialism?

Mr. Cercone: That is objected to.

The Court: That was touched on also. The witness Musmanno undertook to answer a question of a like manner. Anything not touched on, Mr. Nelson—the only reason is because it was touched on by others.

A. That which you quote, Mr. Nelson, is an accurate quotation from President Roosevelt in 1938 and in answer to your question about cartels, which means an international monopoly, monopolies going out of one country and including many countries, such as the time of the monopoly of the nickel monopoly and so on—it is the essence of imperialism, yes, it is at the heart of it.

Mr. Nelson: Your Honor, I would like to be given the permission to ask a question.

The Court: Come up here and we will see what they are.

Mr. Nelson: Your Honor, it is very important for my defense to show when we speak of imperialism we mean a [fol. 1992] small group in a country and the people don't have that.

The Court: I am not limiting you on that. The only thing I am not permitting you to bring in others.

Mr. Nelson: What I wanted to do was to show a few of these monopolies; you know there is so much talk about them, what they are and how they have a tremendous influence on policies of the government at the present time and we criticize those things. It don't mean we are disrespectful or critical of the country and the people.

The Court: Ask the meanings by imperialism, the American Steel group or others. I will allow that. I don't want supporting evidence in the supporting of writings.

Mr. Cercone: Didn't he do that before?

The Court: We will permit him to do it. The objection is overruled. We are going to recess today at 3:30. I got a judges' meeting.

(Court recessed.)

(Side bar discussion.)

[fol. 1993] Mr. Nelson: Your Honor, I want to ask Mr. Cercone what right or did he talk to juror No. 2, which was before the break a minute ago. Does he know her?

Mr. Cercone: I didn't talk to her.

Mr. Nelson: I have my friends who saw it.

Mr. Cercone: I didn't talk to her or say a word to her.

Mr. Nelson: See if my friends saw it.

The Court: The man?

Mr. Nelson: No, a woman, No. 2.

The Court: No. 2 is a man.

Mr. Nelson: No. 2.

The Court: (To Mr. Cercone) Do you know her or did you talk to her?

Mr. Cercone: No.

Mr. Nelson: My friends seen it, your Honor.

The Court: Speaking in conversation?

Mr. Nelson: No, he said a remark as she was passing out [fol. 1994] the door.

Mr. Cercone: I didn't make a remark or didn't hear it.

Mr. Nelson: I want to call to the Court's attention I know he would deny it anyway.

Mr. Cercone: I don't know the woman from Adam.

The Court: I hesitate to embarrass the lady by calling her in.

Mr. Nelson: I don't think it's proper.

The Court: I can call her into chambers afterwards and ask if the district attorney made any remark if you want me to do that.

Mr. Nelson: I don't want to raise any sort of point on this question.

Mr. Cercone: I didn't say anything to the woman and if she said anything I didn't make any observation of it.

Mr. Nelson: My story is different and two people saw it.

Mr. Cercone: He knows that that I didn't.

[fol. 1995] Mr. Nelson: It was just before the break as they were walking out.

Mr. Cercone: They might have been talking to each other and I can't help that.

Mr. Nelson: I want to know how familiar you are with her.

The Court: I don't want neither one to be in contact with jurors, and even myself I try to avoid them. Occasionally they smile or speak but I try to avoid it. They are locked up and I think it is not necessary to do so. I told them not to engage in conversation with anybody and if you think it is necessary to caution them again I will.

Mr. Nelson:

Q. Now this point that you were answering just before the break, dealing with imperialism and monopolies, would you briefly state here what you mean and what are some of these monopolies that you speak of in the United States or that Mr. Foster speaks of in his book?

[fol. 1996] The Court:

Q. Does Mr. Foster mention anybody by name directly?

A. Does he?

Q. Yes, in his book?

A. My opinion is that he does.

Q. You are not certain?

A. I am not positive.

Q. Well, will you give us your opinion as to what groups you refer to when you mention that is what he intended by his writing?

A. Well, for example, they have the Aluminum Corporation of America bearing nearly 100 per cent monopoly, internationally of aluminum; the International Nickel Corporation.

Q. Nickel?

A. The International Nickel Corporation of which Mr. Dulles is a director; is 100 per cent international monopoly. There are other perhaps well known to some as, for instance, the United Steel Machinery Manufacturing Company Corporation which is a Morgan firm and is 100 per cent monopoly; in meat packing one has reference to three or four great monopolies, Cudahy, Armour and Swift, Wilson. They monopolize the meat industry.

In oil, two or three, Rockerfeller; the Mellon and Gulf Oil; the Standard Oil. These are typical instances; they American Telephone & Telegraph which has an international corporation, the International T & T. These are the types and corporations in my, in my mind when I speak of this.

[fol. 1997] The Court:

Q. At present does three meat packing concerns leave you with the idea of monopoly?

A. No. I will explain that if I may. The actual center of concentration is not confined to the industrial monopoly. It is true when you meet such contemplation as three, four, five or six and you have a classical monopoly structure. But even that is not the end of the story because the industrial groups are themselves are dominated by financial corporations of capital. In this country nine such financiers all over, who dominate the industrial concentration and whose directives and presidents are either persons of the Board or directors on the Board of these industrial monopolies. Some of these of which I don't know whether memory will give me all the time, but some of these nine financial figures are J. P. Morgan Company, New York; Kuhn-Loeb Company of New

York; the First National Bank of Boston; the American Banking Corporation of California which is the Gianni Bank of Capitalism. These are a few or three or four of nine which, as it happens, forms a Continental Illinois Bank of such corporations, which, in fact, dominate the economy who control of available finance and dominate the industrial monopolies through this fact and certainly through representation on the board of directors.

Q. Now for the purposes of making a point clear where Mr. Foster deals with imperialism, is it not a fact that when he speaks of imperialism; is it not a fact that when he speaks of this imperialism he talks about these monopolies when [fol. 1998] they reach out into foreign territories and they seek to dominate the markets or get what materials are in those markets and the Government of the United States protects them in their efforts to get things they are after—they speak of that as imperialism, otherwise talked about as monopolies in this country?

A. Yes, it is not only that but part of it.

Q. Will you please explain?

A. Fundamental to the concept is monopoly, and financial domination at home. And then in order to maintain the rate of profit and expand it at home, the expansion of capitalism in markets where there are less wages paid, and the lesser the rate the greater the profit.

If I may illustrate for a minute, the 1950 report of the Standard Oil Corporation stated its further profit.

Mr. Cercone: That is objected to.

The Court: You can't point to that. Can't you be specific in those instances?

A. The fact is that these corporations seek investment outside the territorial limits of our home country in order to enhance the rate of profits, and the fact is they have done so. The fact is there are billions invested. And in answer to Mr. Nelson's question this fact of investment abroad offering thus the domination or in some cases near domination of these countries and of the outlets of these countries. Now [fol. 1999] this domination by the whole monopoly capitalist, a financial Morgan, is also of the essence of imperialism, and is what Mr. Foster and Mr. Lenin has generally in mind.

Q. And do the American people derive any benefit out of these groups or expansions and exploits of the raw material of the people in the world?

Mr. Cercone: That is objected to.

The Court: I think it was a little out of line.

Mr. Nelson: I want to show my criticism of the imperialist program is not intended or to criti-ze the American people but it is the criticism of our government which help monopoly succeed.

The Court: It doesn't show any right on it under there what is already listed.

Mr. Nelson:

Q. Then, Dr. Aptheker, could you cite text books that are used commonly in the universities which discuss imperialism quite open and frankly—could you name titles of the books and the authors? I am not going into quotations because I am not permitted here.

[fol. 2000] Mr. Cercone: That is objected to. We will have to bring in the books.

The Court: We will permit him to enumerate what other books he read of the subject to further qualify him.

Q. Will you please answer, Dr. Aptheker?

A. Yes, I have some notes to refresh me.

The Court:

Q. Not what the books say but what books he studied?

A. I will give a few but there are hundreds. I would mention the works called Imperialism in World Politics by Parker Thomas Moon, published by McMillan in 1928 in New York.

Q. That is a large publishing house?

A. Yes, perhaps McMillan is the largest in this country. I just want to say but I am not going to quote on some of these that Mr. Moon at the time he wrote this was the professor of International Relations in Columbia University, and the very title of his book Imperialism in World Politics he discusses this and picks it up. I won't mention, although I could quote a number, another very prominent well-known

author of a book by Charles Beard and Mary Beard, the Rise of American Civilians, which was published by McMillan in New York in 1936, at that time in two volumes. I only want to here point out that there are over 50 pages in the second volume. If you want I will give the page number.

[fol. 2001] The Court: You don't need to.

A. The heading of those 50 pages is Imperial America and it develops this concept. I would like to mention two or three typical college text books in use now in our country on this. There is, for example, the text book called the American History for Colleges, written by Professor David S. Muzzey and John A. Krout, both professors, as it happens, at Columbia and this book was first published in 1933 and reprinted and in use and published by Gin & Company, the largest text book publisher in the country. And again you have over 40 pages in the text book which is entitled the Path of the Empire and applies this to the United States.

One more instance of a text book more recent. This book is called The United States of America Democracy and World Problems or in World Prospective. It is written by three professors of history in American universities whose names are Ray A. Billington, John J. Lovenberg, and S. H. Brockunier. This was published by Rinehart in 1947. Here I wish only again to mention the heading in this to substantiate the point we are trying to make. Excessive nationalism, a revival of a manifest is distinctly; The Cradle of Empire America Expansion and Power Politics; finally Empire and Americans—these are merely chapter headings.

[fol. 2002] Finally, moving away from text books now I wish to mention one classical work in the field of political economy which has additional importance here because it was used by Lenin in writing his Imperialism which, I assume, is one of the volumes here. This was written by an English professor named J. A. Hobson, a pretty well known work. It is called Imperialism, a Study. It was first published in London in 1902, which is to say over a decade before Lenin wrote, several times reprinted right down to the present and as a matter of fact I am most interested in a 1948 edition published in London.

Again obeying the ruling, we are not giving quotations and so on—I want only to point out that this work in 1902

by an English professor which is really a classical in the area of political economy, dealt with and is not Marxist, dealt with American Imperialism, and it discusses it in many ways, in the ways in which I have tried to summarize it.

Q. You might be able to finish the indictment quickly so we will go to the next Exhibit 18. Have you got a copy of that exhibit called "Stalin is leading us to victory of Communism." Are you familiar with that pamphlet?

A. Yes, sir. That is Exhibit 18 on my notes.

Q. That is right: Isn't that what I said?

Q. Now are you familiar with the contents of this pamphlet?

A. Yes, sir, I have read the pamphlet.

Q. When was this published?

A. 1950 if my recollection is right. You might check it, Mr. Nelson.

[fol. 2003] Q. Yes, it is. Who is the author of the pamphlet?

A. A man named Lazor Keaganovich.

Q. Who is the individual you are talking about, Mr. Keaganovich?

A. Keaganovich is a leader in the Government of the USSR.

Q. Do you mean by that of the Soviet Union?

A. Yes. He is a member of the cabinet of the Soviet Union.

Q. He was in charge of what—that is industrial immobilization during the War, is that correct?

A. That is correct.

Q. And from that pamphlet the prosecution has quoted the following line and a quarter: Under the leadership of Stalin forward to the victory of Communism.

What is your comment of the meaning of that and the way it has been put into this indictment?

A. This is a sentence taken from a peace matter by the leader of the Soviet Union, a member of the Government in 1950, on the occasion of the birthday of the Premier, of Premier Stalin of the Soviet Union. On the occasion of that speech the member of the Government of the Soviet Union

concludes his speech made in Moscow on the birthday of Stalin under the leadership of the Great Stalin, forward to the victory of Communism.

Mr. Cercone: What possible relationship is that. Your Honor please, I object to this witness giving any argument to the jury.

[fol. 2004] The Court: Does it or does it not extend beyond the premises of recollection in its effect. You desire to show what your interpretation of [redacted]?

A. My interpretation of this is an address at a birthday party in the palace by a member of the Government of the Soviet Union congratulating the leader of the Soviet Union on its birthday and that saying under his leadership in the Soviet Union the people of the Soviet Union will go forward, socialism to the victory of Communism. This is the entire meaning of this sentence.

Mr. Nelson:

Q. Would you care to comment on the occasion—they already have socialism in the Soviet Union. Is that right, where there is capitalists and capitalists have no right to hire people and they are operated by the Government?

A. That is correct.

Q. Is called socialism?

A. Yes, that is right.

Q. And that speech of going on forward with communism, what does that mean?

A. In essence here is what it means, is this: how does socialism in Marxist-Leninist theory, the essence and the distinction and more than that one cannot give here the essence of the distinction is that under socialism the produc-
[fol. 2005] tive capacity of the country will be so enhanced that one can reach the realization of a slogan from each according to his ability, to each according to his productivity. Under Communism it adds here is that such tremendous strides forward had been made during socialism to enhance the productivity to the productive capacity of the economy of the entire nation that you will be able to realize the slogan, from each according to his ability, to each according to his productivity. This in the broadest sense is a

fundamental distinction between the socialist stage and the Communist stage.

Q. All right, we come to the final quotation in the indictment, it is from Selected Works of Lenin: "From page 7. It is also quoted in Foundations of Leninism on page 56: The Proletarian Revolution is impossible without the forcible destruction of the Bourgeoise State machine and the substitution for it of a new one."

What is your explanation of that. You have dealt with that already several times but would you mind summing it up. What is your understanding and what is the Communist' position?

A. We have indeed gone over it several times. I will say here and it is from an article written by Lenin in 1918 in the midst of the transformation of Russia from a cZarist tryanny to a socialist economy.

The essence of the meaning as I have several times tried to say is that when a government is formed and a few ruling class appears that new ruling class must, in essense, [fol. 2006] the meaning is that new ruling class must rule. These people from that class or allies of that class must be in the administration of the transformed state. If you have a transformation from a Czarist tryanny to a socialist country you cannot have the duke and the count and the great landlord administrating the new state. That must be cleaned out. That must be replaced by those of the class which now rule, the working people, the peasant people. I tried before to give examples for American History and shall not repeat it. This is the essence of the meaning of this sentence.

Q. We have gone over or through all of the quotations in the indictment and, your Honor, you have permitted the prosecution witnesses to go a little bit, as you put it, beyond the indictment in making quotations and we have chosen a number of those that were presented here by Mr. Musmanno, only about five or six of those.

The Court: Oh, yes, you mean from volumes not mentioned in the indictment?

Mr. Nelson: Yes, they are books in evidence and have been quoted from.

The Court: You are permitted to quote.

Mr. Nelson: The reason for bringing this up, I have lengthy discussions about many things.

[fol. 2007] Mr. Cercone: I object to him expressing the reasons unless he brings it out by a witness. I think it ought to be done at side bar.

(Side bar conference.)

Mr. Nelson: Your Honor, these quotations have been given by Judge Musmanno and references.

The Court: They have been given by him?

Mr. Nelson: Yes, and I attempt to express the true meaning.

Mr. Cercone: I object to him explaining the reasons in Court; he can get it from a witness.

Mr. Nelson: A little continuity so you will understand what they mean.

Mr. Nelson:

Q. In the course of his testimony Judge Musmanno quoted from the CTSU, Exhibit 21 from page 81 the following: "Speaking at a meeting of workers and Cislis on the day the Tsar's Manifesto was announced, Commrade Stalin said: "What do we need in order to really win? We need three things: first,—arms; second—arms; third—arms and arms again." Explanation and the end of quote.

Now under what circumstances do you know—under what [fol. 2008] circumstances was that statement made, at what time, where and when do you know?

A. Yes, I know.

Q. Would you briefly explain that, please?

A. Yes. To understand that reference it is absolutely necessary to know when it was made and where. Stalin said those words on October 17th, 1905. He said those words in 1905 in the midst of the Russian people's revolt of 1905, against imperialists Czarist'—tryanny.

Now this is described on page 78 of the same book, The History of the CPSU, the quote comes from page 81. One must know when a man says something and under what circumstances you understand what he said.

On page 78 one reads from the book that: "The government engineered a number of sanguinary Jewish programs, in which many thousands of people perished. Then Stalin goes on again to lay the background of this 1905 uprising of the Russia's masses, the Black Hundreds which would be the equivalent of our Ku-Klux-Klan—"The Black Hundreds, with the support of the police, openly manhandled and murdered politically advanced workers, revolutionary intellectuals and students, burned down meeting places and fired upon assemblies of citizens. And so forth." This is the background you must know plus the fact that the Russian people in 1905 were tired of being exploited in the needless war.

[fol. 2009] To make that point clear it is as though you are quoting Frederick Douglass as saying: "Men of call to arms." Now if you just take that sentence and put it out as Frederick Douglass, one person might get an idea this is a bloody character—man of call to arms—but when did he say that. He said that during the Civil War of 1863 when the Federal Government finally agreed to tell its soldiers to proceed and Douglass rising he said: "Men of color to arms." Is this a bloody serious monster—obviously not.

Stalin in 1905 and the Russian people and again the pogroms and about the needless war, and he said: "What we need in the struggle are arms, arms and arms again." This is the meaning of that.

Q. Now are you familiar with a pamphlet written by Lenin called Left Wing Communism and Infantile Disorder, which is Exhibit 56 of the prosecution?

A. Yes, I am.

Q. Do you recall when this pamphlet was written?

A. Yes, in 1920.

Q. And was written by Lenin, is that right?

A. Yes.

Q. Judge Musmanno quoted the following from page 37:

"You must be capable of every sacrifice, of overcoming greatest obstacles in order to carry on agitation and propoganda systematically, perseveringly, persistently and patiently, precisely in those institutions, societies and associa-[fol. 2010] tions—even the most reactionary—in which Proletarian or semi-Proletarian methods are to be found."

There are two quotes from the same booklet. Would you care to comment on that first. What is the meaning of that first?

A. May I say, Mr. Nelson, in the terms of my notes that the very next quote is practically the same idea.

Q. All right, I will read that, too, this one from page 38:

"We must be able to withstand all this, to agree to any sacrifice, and even—if need be—to resort to all sorts of stratagems or srtifices, illegal methods, to evasions and subterfuges, only so as to get into the trade unions, to remain in them, and to carry on Communist work within them at all costs."

What is your explanation of that—what is the real communist' position of that in the United States?

A. We repeat this was written by Lenin in 1920. The object of the pamphlet by Lenin was to overcome a sense of defeatism, that is, to overcome a tendency in the face of hardships there and in the face of prosecution to give up the effort to obtain socialism and withdraw from one contact with people, to give up, in other words. Lenin is writing this pamphlet in order to combat such a tendency and attain that never must one give up his efforts to reach the people and to explain to them what we believe and what we want.

He, therefore, says rather plainly it seems to me here in this extract, that you must be capable of every sacrifice. [fol. 2011] You must be willing to give up everything to overcome the greatest obstacle in order for what? In order to get the will of the people which a gain is indicative of the majority basis of the Marxist-Leninism because the whole intent of this pasage is you must allow nothing to keep you from getting to the people and explain to them what you believe. He says in the next quote which is prac-

tically identical, "All obstacles or all things in terms of their day, in terms of our own time of what has been done to Communists. Whether like Fuchik, whether like this great force you must face the firing squad of Nazis; no matter what the obstacle is and what the conditions you will persevere you are a true Communist and neither oven, in which people are burned nor anything else is to be—is to prevent this.

Now the paragraph indicates the necessity for the closest contact with the broadest masses of people, because Marxism-Leninism, because my philosophy depends upon mass of force.

As a matter of fact, to make that even clearer, Lenin says in the words immediately preceding this quotation offered by Judge Musmanno on page 37, he says specifically that Communists must imperatively work wherever the masses are to be found—and he italicizes the last words.

I want to quote from page 38 which was read to you by Mr. Nelson where this is extracted to all sorts of struggles [fol. 2012] and illegal methods to evasions and subterfuges—it is to give the impression this is some sort of an underground illegal work.

Said quotation is immediately followed by examples of what Lenin had in mind when he spoke and when he wrote:

"Under Tsardom we have no legal possibility whatever until 1905. This is what he is talking about—and in the same book, The Black Hundreds, like the KKK and other terrorists organizations who had to be combated.

Again I want to make this again crystal clear that meaning, if I can, of the paragraph, that are very often torn out of the contexts as here, to give an example. From our history you illustrate the meaning of this. Negro slaves fled slavery—was this legal? No. It was illegal. Was it right? It was a thousand times right. People helped those Negro slaves to flee, white people and Negro people, what we call the underground railroad. Was it legal? No, it was illegal. Was it right? It was right. When the greatest Negro who ever lived fled, Frederick Douglass, the first time he tried and was caught and was still and jumped the third time and he made it. When he made it did he have a

legal basis? No, he did not. He had a path, so-called protective paper given to him by a free Negro sailor who took his life in his hands to help Douglass get away from slavery. Both these men are heroes to any American. I cannot believe otherwise.

The Court: That is all for the time.

Recess for the time.

[fol. 2013] Friday, January 18, 1952.

Morning session.

Mr. Nelson: May we approach the bench?

(At side bar)

Mr. Nelson: Your Honor, I missed this edition of The Pittsburgh Press, it's of Thursday, January 10, 1952 and on the fifth page, running down half the column, there is a story pertaining to the trial and right next to it is a story about McTernan, who was in the first trial, taking the defense in the New York case. I want to call your attention at the end of that story, "Dolsen and Onda—" the story goes, "were convicted but are seeking a new trial. Nelson, now on trial again on the same count is defending himself."

The Court: Well, the jury knows that.

Mr. Nelson: Yes, I understand that.

[fol. 2014] The Court: But you want to make a similar motion to withdraw a juror?

Mr. Nelson: Yes, I want to make a motion for a mistrial and the withdrawal of a juror. You can't have a fair trial in this kind of an atmosphere when told, "This man has got to be convicted because the others were convicted," instead of judging every case on its merits.

The Court: That is not exactly what it says.

Mr. Nelson: That is the inference.

The Court: Let's put on the record the headings. One is "Nelson Urged U. S. Upset, Cvetic Says." The other, "McTernan to Help Defend Reds at Trial in New York" appearing in the Pittsburgh Press on Thursday, January 10, 1952 and in the latter article the final paragraph:

"Dolsen and Onda were convicted but are seeking a new trial. Nelson, now on trial again on the same count, is defending himself." Motion refused, exception noted.

[fol. 2015] Mr. Cercone: Now, your Honor, I would like to enter an objection to this witness testifying from notes prepared—prepared notes that is. He is testifying directly from his prepared notes, prepared thought, prepared argument, which I think, of course, is not right under the law of evidence. The only time a man can use notes is when a witness wants to refresh his memory on something but to have prepared argument and notes, I think, is very wrong.

The Court: Well, I think in this instance it is an exceptional case. There are so many of these quotes that he has there and noted his thoughts down. They required study for his interpretation and I don't think its out of order at this time.

Mr. Cercone: I am not talking about the excerpts, I am talking about his interpretations.

[fol. 2016] The Court: After all, he is not reading from them. He is looking at them and studying them and giving his interpretations and I think it's all right. Objection overruled.

(End of side bar)

The Court: Proceed.

Dr. Herbert Aptheker, resumed the stand.

Direct Examination (continued)

Mr. Nelson:

Q. As we ended yesterday afternoon you were answering the second quotation that you had from Musmanno on direct testimony and when we ended I believe you said you weren't quite finished or you didn't complete your answer. All right, will you please complete that?

The Court: Do you have a copy of those quotes that you might give me for my benefit?

Mr. Nelson: I couldn't——

[fol. 2017] The Court: You don't have an exact copy?

Mr. Nelson: I will later. I can have copies made or I can give you the page reference in the transcript.

The Court: It will be in the record. You can note on the copy you give me later.

Mr. Nelson: We will give you both the source as well as the page reference in the transcript and there are not many, there will be only three or four more.

The Court: Well, they are all from books in evidence anyway.

Mr. Nelson: Or opinions by the witnesses of the prosecution in this case referring to—the references are in the transcript, the page of the transcript.

Mr. Nelson:

Q. The question that you were explaining you didn't complete. Will you please complete the answer to the question you were talking about, Frederick Douglass' understanding of what was morally right although legally [fol. 2018] it wasn't acceptable. Will you please give your elaborations on that?

A. I was making the point, as the session ended yesterday——

Mr. Cercone: I object to the question as it is asking for a comparison of history. We got into that same trouble as we did yesterday with this witness basing his opinion on his views of what occurred in some incident of history; naturally based on what he has read, based upon his own personal opinion which doesn't at all establish an agreed upon fact of history and for him to compare some other period in history with what we are concerned with in this case is entirely unfair, your Honor.

The Court: Well, that presents a close problem. We have prevented him from using authorities on the outside to support or buttress his opinions here but I have and I am inclined to let him use examples taken from history to exemplify or demonstrate or explain the position he has taken on that.

Mr. Cercone: My point is that he takes some period [fol. 2019] in history and says that is like what we are talking about today.

The Court: Well, that is his opinion.

Mr. Nelson: You don't have to agree.

Mr. Cercone: Your Honor, what he says are facts and unless we have an opportunity to call witnesses to controvert that incident, to show the Commonwealth's position—I mean, we can go on for weeks——

The Court: I think that is being prejudiced a little bit. We will let him go one some way to demonstrate his point. I told him before not to elaborate at great lengths on these supporting points and I instruct the witness again that I don't want him to make mention of something which he considers similar; I will permit him to do so but not to elaborate too much on it.

Mr. Cercone: May I have this understanding, your Honor, that this is entirely the opinion of this witness and in no way substantially parallels——.

[fol. 2020] The Court: This is his interpretation of that historical incident as well as interpretation of what he is talking about. Now, I think the jury understands.

Mr. Cercone: I am talking about the incident——

The Court: His interpretation of the incident doesn't say it is a fact because he says so. We all understand it is his opinion and his interpretation of an historical event which he is using to demonstrate.

Mr. Nelson: Well, it is natural that the witness would refer to examples which were particularly familiar, being a scholar in that field and I thing it makes a point a lot more clear when he deals with those types of illustrations and I know we can't convince the prosecution we are not trying to do that: it's impossible to do that without illustration.

[fol. 2021] The Court: I think we understand one another on the matter that anything he uses by way of example is his interpretation of that point as well as his interpretation of the point that he is demonstrating.

Mr. Cercone: May I interpose an objection as to this witness entering into any phase of facts of some previous incident of history, which he has done repeatedly? I mean, if he just wants to parallel——

The Court: He states it is a fact but I think the jury understands that it is his impression of them. His statement may——

Mr. Nelson: Well, he is a lot more qualified to give an opinion on that question than Mr. Cercone.

Mr. Cercone: We are not arguing about that.

The Court: We will permit him to cite examples in past history which are similar.

[fol. 2022] You may proceed, Doctor, and elaborate.

Mr. Nelson:

Q. All right, Doctor, will you please complete your answer to the question that we were discussing yesterday as the Court adjourned?

A. I was simply making the point that given conditions of slavery, that type of society, this particular man, Frederick Douglass, fled from that type of society, against the laws of that type of society and he fled north and he there engaged in peaceful activities within mass organizations of people in order to convince the majority of the people that the slave system was wrong. I was simply trying to make the point, which is directly connected with the excerpt offered by Judge Musmanno as to the time something is said or done, that in this case that man Douglass faced with the facts of slavery had no other way to struggle for freedom than the way he chose; that the force and violence was applied against him and that he tried to bring a message of change to a majority of the people.

In terms of the specific extract from Judge Musmanno's testimony, in quoting those paragraphs, it was necessary, if one wanted to understand the paragraphs, to understand when Lenin wrote them and what his object in writing them was and what examples he used to explain the use, the necessity of evasion or strategy in which he immediately followed that sentence in reference to Czarist tyranny and [fol. 2023] to Black Hungary, as he called "force and violence" in which there was no elasticity in the social system; there was no democratic rights at all which are too precious, which is to maintain a peaceful way of life, the way of debates, the way of electing to Congress. This is the point I was trying to make in arguing to the excerpt from Judge Musmanno and that completes the thought I was trying to make yesterday.

Q. All right. Now, I call your attention to the third excerpt as it appears on page 634 of the transcript and is a quotation from "Selected Works" of Lenin, Vol. 8, page 297, written in 1920. The quotation is as follows:

"As long as capitalism and socialism exist, we cannot live in peace: in the end, one or the other will triumph—a funeral dirge will be sung either over the Soviet Republic or over world capitalism."

Now, what is your understanding and explanation of that particular quotation as given here by Judge Musmanno?

A. That particular quotation comes from Vol. 8 of the "Selected Works" of Lenin. The sentence comes from a speech which Lenin delivered in November, 1920.

It was a period when actual intervention, that is the actual presence of foreign troops in Russia was in existence—foreign troops were actually in Russia at this time and that this speech was made at that period, in the infancy of the Soviet Union, and when it was still actively [fol. 2024] under attack by foreign armies. Lenin is arguing in that speech, from which this sentence comes, he is arguing for the acceptance of a policy of concessions, as it was called in Russia. That is, the policy of allowing outside groups, corporations and so on to come into Russia and to investigate in mines and things like that to help build up Russia after its terrible ordeal of the First World War and the Civil War and foreign intervention.

Lenin is trying to convince the Soviet Parliament that they should agree to his policy of concessions; that is the point of the whole speech.

Now, how does he try to convince the Legislatures that they should agree to this policy? He says to them in this speech that such a policy is one which will help put off war, he says, if we pursue such a policy the imperialists, the other countries surrounding Russia, some of whom then were aiding Russia, that that would help put off further taxation by them. That is why in the sentence following the sentence extracted by Judge Musmanno, the sentence following that by Lenin reads as follows:—two

or three sentences immediately following the extracted reads:

"This is a respite, a postponement"—"This is a respite in war." By this we say that he means the policy of concession. He says "This is a respite in war—" and he goes on—"The capitalists will seek pretext for fighting—" "They will seek pretext"—Lenin says, "if they [fol. 2025] accept the proposal and agree to concessions it will be harder for them, harder to continue the war on the one hand," says Lenin, "We shall have the best conditions in the event of a bar on it. Others who want to go to war will not agree to concession."

I think this is somewhat fairer to Lenin's ideas and begins to convey the setting of the sentence and its meaning in the terms of the efforts of Lenin then to have peace. This is the whole point of his speech.

I have another point in connection with the same speech from which Judge Musmanno extracted the sentence which was quoted here. In that same speech Lenin writes, and this is on Pages 292-293 of the same volume, Vol. 8, and it's the same speech. Lenin writes in this same speech that, "An appropriate slogan for the Socialist movement of the world now would be—" in 1920 and I am now quoting Lenin, "Proletarians of the world and the oppressed people unite." Now he, Lenin, goes on to say: "Certain comrades ask, When did the Executive Committee give orders to change slogans?" Lenin says, "I, indeed, do not remember it." He says, "From the standpoint of the Communist Manifesto this is wrong," but he says, "The Communist Manifesto"——

Mr. Cercone:

Q. What page are you reading from?

A. 292-293. He says: "Of course, from the standpoint [fol. 2026] of the Communist Manifesto this is wrong, but the Communist Manifesto was written in entirely different conditions—" says Lenin, "whereas from the point of view of present day politics this is correct."

I cite this to the jury in the same speech extracted by Musmanno in order to refute again the idea of dogma, of

a set of blueprints similarly today in the idea tried to be conveyed by extracting this sentence out of its context and making it appear as a call for war rather than what it is, a call for peace, as I tried to show.

Today, in terms of this speech, Marxists-Leninists are convinced that even with the existence of imperialism, war is not inevitable. We are convinced of that today, essentially because of the increased strength and the organized nature of the world peace camp as we see it and because of the nature of working class groups in other countries, such as in France and Italy. These are some of the reasons, they are not all, why we are convinced now that even with the existence of imperialism war is not inevitable.

Now, this is contrary to previous ideas of Marxism-Leninism, that given the existence of imperialism, world war was inevitable. It is not today because the peace forces are so strong that they can impose their will for peace on those who wish to make war. I think this has been explained in the current issue—not the current issue, December, 1951 issue of "Political Affairs" which [fol. 2027] reprinted an article from the Soviet Union by a Russian man named Soleznev.

Mr. Nelson:

Q. In other words, Dr. Aptheker, what you said just now and the reference that you made, the way Lenin refused to be bound by statements that were in the "Manifesto" which may have been applicable for one country or one period, he was ready to challenge those who insisted that you had to stick by the letter of the book, is that correct?

A. Exactly. That is what Lenin does here.

Q. And consequently what he says is that Marxist—to be a Marxist you have to apply this thing to their country as they see fit at the particular time?

A. That is precisely it. That is just what Lenin is saying in what I have quoted.

Q. Now, to proceed to the next quotation by Judge Musmanno, which was from Commonwealth's Exhibit No. 63: "Marxism and Leninism and Revisionism", page 110. This is a quotation from the meeting of the National Committee

of the Communist Party of the United States, made on November 18, 1945 by William Z. Foster, Chairman of the Party which reads: "We have got to mobilize our Party. We cannot stand for passivity in our ranks. We have to bring this matter home to our comrades by an intensive ideological campaign, by a systematic mobilization of our [fol. 2028] membership for the big tasks confronting us. We must get our whole Party into action. Overcoming passivity in the Party is one of the most fundamental things that we have to do at the present time.

A third basic necessity for us is to recruit more members especially basic workers into the Party. We must take this job in hand as never before. We have said this many times in the history of our Party, but we have got to do it a new way now. All over the world the Communist Parties are growing, and we must grow too.

That is the end of Mr. Foster's statement and quoted in that pamphlet, which I have already indicated, and appears on Page 692 of the transcript of Judge Musmanno's testimony. Will you explain the meaning of that statement as understood by you? I presumed you read the thing, read the speech, and perhaps you have even heard it delivered?

A. No, sir, I did not hear it delivered but I did read it. It is from a speech made by Mr. Foster at a National Committee meeting of the Communist Party in November, 1945. The extract made by Judge Musmanno might possibly give the impression that this is some sort of a call for violence or the unleashing of terror or whatnot, particularly since in the extract one has such words as "overcoming passivity in the Party". What are the paragraphs saying and what is the point of the speech?

The whole point of the speech and in fact the whole [fol. 2029] point of the meeting at which the speech was delivered, was to indicate opposition to what was felt to be the revisionism or the errors of Mr. Browder in the Party. That is why the next page and a half of the remarks of Mr. Foster in this pamphlet deal with Mr. Browder and Mr. Foster says this to Mr. Browder:

"Communist activity consisted of Mr. Browder" and I am now quoting Foster "making a big speech and that the Party should spread it." Mr. Foster goes on to say that: "Certainly speeches must be made and their message must be spread to the people"

Mr. Cercone:

Q. Where are you reading?

A. I am summarizing now the last page and a half of Foster.

Q. You said you were reading. Are you reading or summarizing?

A. I said I was reading, when I was reading, and I said I was summarizing when I was summarizing. I read direct quotes from Mr. Foster.

Q. I just want to follow. Where is Mr. Browder making any speech?

A. If you let me have the pamphlet I will be glad to point it out to you.

(Mr. Cercone shown passage by the witness)

A. Should I go on? Do you follow me?

[fol. 2030] Q. Yes.

A. So; quoting from Foster he said, that Foster said that: "Browder's idea of Communist activity consisted of Browder making"—and now I am quoting—"a big speech, and that the Party should spread it." That is what Foster said. Now, Foster goes on to say, and now I am summarizing the contents of that page and a half that, of course, speeches must be made. This is very important, that we must spread them but that we must take our message into the communities and the shops and go to the people, talk to them, help organize them to defend their interests. That is why, for instance, on Page 111 of that pamphlet he says that: "In New York certain good things were done." What does he mean by a good thing? That which he wants to have done. I am now quoting from Mr. Foster, Page 111, in terms of good things, such as he says: "A very substantial mass meeting of protests was held." This is an example of time of activity that he is calling for in contrast to the passivity in our ranges. This is the whole intent of his objection.

Foster's use in that passage of the term "passivity" is the perfectly normal meaning of this fairly normal word. That is, Mr. Foster is saying that many of the members are not themselves actively participating in the program of the Party, he says, and I am now quoting from page 109:

"It was a well known fact that only a small percentage [fol. 2631] of our membership is active in carrying out our campaign." And he says, "This passivity is one of the special heritages that we have from the Browder period of revisionism."

One more point, the extract Musmanno has, referring to the "need to concentrate upon recruiting industrial workers." Taking it out this way, in the context of our present time in which we live, it is possible that one would think there was something sinister in the term of "recruiting industrial workers." This is perfectly normal and natural. The man is the leader of a political party which he says he believes Marxism-Leninism believes as a party devoted to the interest of the working people. As a leader of the Party, of course, he wants to have it grow and he calls upon the other members to help it grow and as a leader of a party of working people he says, "Let's go out and build the party and particularly, get workers into the party." So since this is the nature of our Party, this is the meaning of the second paragraph in this extract.

Q. Now, we come to the last extract by Judge Musmanno, not because there aren't any more but because we believe that we have in a sense summarized them under other headings and they have been answered and this is the last one we wish to call the jurors' attention to.

This is the quotation that comes from page 688 of the transcript and it is quoted from Foster's "In Defense of the Communist Party Leaders," page 95, Exhibit 61. The [fol. 2632] quotation read by Musmanno is as follows:

"The people's right of revolution cannot be denied. If a peaceful path to Socialism is open to the people that is the road they will always take. But if capitalist reaction and violence forces them to fight for Socialism, then fight they will, and as history shows, successfully."

Will you please make a comment on what is the special meaning of the way or rather, what is the meaning of the way Mr. Foster uses this and perhaps throw some light why Judge Musmanno chose to quote it in this manner?

Mr. Cercone: That is objected to, your Honor, as to why the interpretation, mental interpretation, was placed on the quotation; I object to the form of the question.

The Court: Well, it is more argumentative if we ask the witness, why Judge Musmanno—Just tell us what is your interpretation of the excerpt.

Mr. Nelson: Yes, I will accept that.

A. That excerpt is from a pamphlet by Mr. Foster which was published in 1949. The sentence which immediately [fol. 2033] precedes the quotation offered by Judge Musmanno, but which was not included in Judge Musmanno's excerpt, the sentence which Foster has which is not in the excerpt just before the excerpt is: "But capitalist violence cannot defeat Socialism." And the sentence following the one excerpted by Judge Musmanno reads: "The future belongs to Socialism and capitalism, with all its violence against progress, cannot possibly change the main course of history."

Please see what an excerpt made in this fashion leaves out. The first sentence and the last sentence is left out. What does the first sentence and the last sentence, which are left out, say? It repeats the Marxist-Leninist insistence which I have attempted to indicate here in two days of testimony, that it is the reactionaries, the minorities who use force and violence; who use it daily and in critical moments to aid them with terrible force and fearful violence against masses of people.

I want also to say this about the extract. Judge Musmanno's extract has given—concentrates on the "right of revolution," as though to scare one by this. I do not understand an America who is scared by the assertion of the right of revolution, as we have attempted to define the process of revolution and its meaning to you. I say that because this is one, it is not all, but it is certainly one of the foundations [fol. 2034] of our country, it is a basic thought, not the sole thought, but a fundamental thought of our immortal Decla-

ration of Independence and it is a fundamental part of the Constitution of the Commonwealth of Pennsylvania which I believe yesterday I quoted from memory and which since then I have, and to make this point in terms of right of revolution, I wish to read that very brief article. I think I said it was Article II. That is a mistake. It's Article I, Section 2.

The Court: Any law applying to the Commonwealth of Pennsylvania or its Constitution will be read by the Court to the jury. We have limited the lawyers in that respect and I am going to limit you from reading the laws to the jury. You will have to limit yourself to opinions and facts.

A. Very well, sir. I understand that I may make the assertions as to the contents of that, sir?

The Court: No. You may explain what you mean by "revolution" and if it is requested by the defendant, in my charge to the jury, I can make reference to that, to that section of the constitution but to let you do it, I believe, is [fol. 2035] beyond the realm of permissibility.

A. All right, sir. Let me conclude this point by saying, in terms of rights of revolution, as a Marxist-Leninist understands that concept, that is a fundamental right upon which—it is a fundamental right upon which our country is based and upon which in explicit terms, in written out terms, many of the States of the Union, including this State, is based. This is the meaning of it; this is the meaning of the excerpt from Judge Musmanno's testimony.

Mr. Nelson:

Q. When Cvetic testified for the prosecution he gave certain interpretations dealing with the Constitution and Preamble of the Constitution of the Communist Party of the United States. Are you familiar with the Constitution?

A. Yes, I am.

Q. And the Preamble?

A. Yes.

Q. I have here the 1945 edition of the Constitution

The Court: Excuse me. Wasn't there some dispute whether or not that would be the Constitution involved: that it was the '47 ——

[fol. 2036] Mr. Cerecone: Or '48.

The Court: I don't know which was in effect.

Mr. Cerecone: That is the one we found in the headquarters, the '48.

Mr. Nelson: I believe on the point I am trying to bring out there will be very little discrepancy or change. I don't have the other copy and I am using this one. I know it's substantially the same; they are alike.

The Court: All right.

Mr. Nelson:

Q. We read parts of the Preamble and I am not trying to go into that. There was an interpretation placed on this section by Cvetic which reads: "In the struggle for democracy, peace and social progress, the Communist Party carries forward the democratic traditions of Jefferson, Paine, Lincoln and Frederick Douglass, and the great working-class traditions of Sylvis, Debs and Ruthenberg. It fights [fol. 2037] side by side with all who join in this cause."

Now, Cvetic's interpretation of that was that that was double-talk. Will you please explain that as it is understood by those of us who are members of the Communist Party and by the Party leadership and by yourself? Do you need ——

A. No, sir, I don't need it. There are two parts to the question that you have put to me. First, you have asked me to comment about Mr. Cvetic's remarks that this is double talk. Then, you have asked me to say what is the meaning of this Preamble of the Constitution of the Communist Party where the Preamble says that my Party "carries forward the democratic traditions of Jefferson, Paine, Lincoln and Frederick Douglass and the great working-class traditions of Sylvis, Debs and Ruthenberg."

As to the first question, there is no such thing as Communist double talk; there never has been. I have spoken, in my years in the Party, talked double myself and I have never known of any Communist or any publication authorized by the Communist Party which had double talk; which said one thing and meant something else. To dismiss something as double talk, of course, can prove nothing. If one had

such rules, a moron could defeat Socrates in a debate because——.

The Court: Let's not get into the argumentative stage, Doctor. Limit yourself to the fact whether or not there is [fol. 2038] any intention on the part of the Communist Party of the United States to not intend what their words implicate by their Constitution and the provisions thereof. I will have to limit you to that extent rather than permit you to argue the point.

A. All right, I will affirm that. Mr. Cvetic's assertion that this was double talk is false; that it is not double talk and that the Communist Party and is members try to speak as clearly and as concisely and as honestly as they know how. Now, with that understanding, without which understanding nobody could explain anything, the Preamble to the Constitution of the Communist Party says that it believes that the Party carries forward into our day and time these great democratic traditions of four great American figures which we mentioned, Paine and Jefferson, Douglass and Lincoln, and the working-class traditions of Sylvis, Debs and Rutbenberg.

What that means is that the Party believes that it carries forward in our day the struggles and the leadership of these great figures for the enhancement of democratic rights. It mentions Paine and Jefferson, these two men, and this is why they are mentioned in the Preamble and this is the meaning of the Preamble.

These two men were leaders, of course, in the efforts [fol. 2039] and a revolutionary effort it was, to assert the independence of the new nationality, the United States, from the exploiting hold of imperialistic Britain. They were leaders in rejecting rule by monarchy and insisting on rule by a republic and by election and Jefferson himself was, of course, the main author of the Declaration of Independence, which is fundamental to the meaning of that Preamble because that Declaration of Independence is an immortal manifiesto of revolution; declaring the quality of peoples, the necessity of majority rule, the consent of the government and their right to change a government in any way that they decided is correct when they wished to do so. It

is this type of heritage and the names of Paine and Jefferson which that Preamble has in mind.

Also particularly in the terms of both of those men, both Jefferson and Paine, in their careers we teach and we lecture and we write about and we draw our inspirations from them in terms of that Preamble. In terms of internationalism of both of those men, both of these men were in France; both those men were proud that their efforts in terms of helping progress in the United States stimulated such efforts elsewhere as in France and one of them, Paine himself, was personally active in such efforts in France. Moreover, both those men fought against any restrictions upon rights of free speech and free press and free religion, assembly and so on; where again Jefferson particularly being so important in our Bill of Rights and Jefferson again [fol. 2040] being so important in the efforts to throw out the alien and sedition laws passed in 1798, which would have restricted and did restrict the rights of the press and of speech. Jefferson led in their fight against this. This is part of what that Constitution's Preamble means when it refers to their democratic traditions and the fact that our Party is pledged to these and to the enhancement of them in our day.

When it refers to Douglass and Lincoln, once again it refers to great revolutionary figures because both those men devoted their lives and in this case, particularly Frederick Douglass, to changing a type of society which they did not like, which they thought was wrong, namely, a slave society. In changing that they faced the opposition from powerful interests and from most newspapers but they persevered through terrible hardships. Two bones in Douglass' arms were broken by mobs but they persevered in spite of this violence and resistance because they believed slavery was wrong. They were revolutionary leaders and they sought to change a property relationship. This is the intent of that Preamble, to point to this, and I have taught this many times for years and I have emphasized that point, that I do again as a Marxist-Leninist, that is the fundamental significance of Douglass and Lincoln, that they overthrew, they overturned, they changed a time of property relationships and under their leadership they confiscated four billion dollars

worth of private property under another system legally [fol. 2041] recognized.

Important in that also, in Douglass and Lincoln and in our Party and in Marxism-Leninism and why that is in the Preamble is that both those men, and again especially Frederick Douglass, fought against racism; they fought against discrimination, particularly Douglass, and against segregation; against what we know as Jim Crow. Douglass, the greatest leader ever produced in the struggle against this and though he suffered violent attacks many, many times and though his family did, he persevered in this struggle peacefully and through organizations on abolition movement, trying to convince the people that this discrimination and segregation was wrong. This is noble, we believe. There is a great heritage, we hail that, and that is why again his name is there. This is the democratic traditions of Douglass, of Lincoln, that we carry forward; this is the meaning of that.

One final point on Douglass and it is this, and I have taught this many, many times and so long as I am physically able I will teach this. Douglass was not only a great leader in the fight against slavery, in the fight against discrimination and segregation and racism, he was also a great leader in the post Civil War period in what the historians call the reconstruction period. Douglass, our Party teaches, is, and I teach, and this is the essence of the Preamble and this must be known if one is to understand that Preamble and not to dismiss it contemptuously in terms of double talk. [fol. 2042] Douglass wanted and fought for, during reconstruction, full rights for the Negro people in the South. He said, and these are his words: "They must have the rights to the ballot box, the jury box, and the cartridge box." What Frederick Douglass meant there was that they must have full political rights; they must have full judicial rights to testify, be on the jury, to be judges, and they must have full rights to enter the Army and in the militia; to bear arms and to protect themselves. Also Douglass said, "They must have the right to own the land which they till, otherwise they cannot be free if a handful owns all the land of the South and the Negro people have to work on somebody else's land." That was the program of Douglass in

reconstruction. We hail that. We call for that. Now, that is what we mean when we refer to these democratic traditions of these great leaders.

Without understanding this, and I have tried to summarize I think in seven or eight minutes, to the best of my ability, without understanding something of this, it is not possible to understand what my Party means when it says that we carry forward these democratic traditions, because those are traditions; that is what we mean.

The Court:

Q. Are you through in connection with that?
[fol. 2043]. A. Yes, sir.

The Court: We will take a ten-minute recess.
Recess.

Dr. Herbert Aptheker resumed the stand.

Direct examination. (continued).

Mr. Nelson:

Q. I believe the doctor was in the midst of an answer, answering that comment on the Preamble. Will you continue, please? and finish your answer.

A. In trying to explain the meaning of the Preamble to the Constitution of the Communist Party of the United States I had dealt with in about ten minutes the democratic traditions to which that Preamble makes reference when it talks about Jefferson, Paine, Douglass and Lincoln.

The Preamble also speaks about the working-class traditions of Sylvis, Debs and Ruthenberg. What does the Preamble mean when it refers to these traditions of these three men? It means in essence what I shall try to say again in [fol. 2044] ten minutes and what I have taught for years and what Marxist-Leninist believe these traditions to be.

Sylvis, that is William H. Sylvis, who was a worker of this State, a resident of Philadelphia before, during and just after the Civil War. When as an iron molder, a very

poor person—as a matter of fact, he did not even have a chance to go to school and he did not learn to read or write until he was about thirty years old when he was elected Secretary of his Union and given that position he had to learn to read and write and did in the working-class movement.

Now what the Party brings forward in the career of William H. Sylvis is the fact that Sylvis was a great pioneer in trade union organizations. He organized the National Molders Union, Iron Molders Union before the Civil War and he led in the struggles of that Union in the iron industry, of Pennsylvania to gain Union recognition to reduce working hours from 12 and 14, as they were then, to 9 and 10 and to increase pay and to generally bettering conditions of himself and his fellow workers. The Preamble, in talking of the traditions of this man, also refers to the intense patriotism which he showed during the Civil War and which, under his leadership, the whole Union that he had organized, adjourned and volunteered all together as a separate regiment to fight for the integrity of our country and against the slave leaders' force and violence.

[fol. 2045] At the end of the War, and this is part of the traditions of this great working-class leader, William H. Sylvis, was the pioneer in forming the first Federation, National Federation of Trade Unions which they called the National Labor Union in 1866. Originally this movement was secret because of the opposition of the employers to unions and the fact that if you joined the Union and it was known, you might be fired. Nevertheless, that National Labor Union, under the leadership of Mr. Sylvis, grew. Its first convention was held in 1866. Mr. Sylvis himself died a young man, in 1869, but the point is that he led in this formation by working people of a great national trade union movement, which is a pioneer of later great national trade unions that we have had in this country, like the Knights of Labor or the AFL and so on.

Also in terms of bringing forward the traditions of William H. Sylvis, it is to be noted that he was not only a great patriot but a great internationalist. William H. Sylvis corresponded with trade union movements in Europe and with working class leaders in Europe, including Karl Marx with

whom William H. Sylvis corresponded in his organization and his organization corresponded with Marx. In that correspondence Sylvis pointed out particularly, and so did Marx in writing to him, the struggles of National Labor Unions to organize and especially to fight for shorter work-
[fol. 2046] ing day and to fight for the rights of women workers; equal pay for equal work. These are some of the main traditions which are embodied in the name William H. Sylvis and which is why it is in the Preamble of the Communist Party.

There are two other working class leaders which are in this Preamble. One is Debs and the other is Ruthenberg. Debs is Eugene Victor Debs, the great trade union leader and the great Socialist leader in the American History. I am confident that many of you have heard of Debs and know Debs and know much about him. It is a fact that this man, a railroad worker, helped organize railroad workers and that in his struggles to organize he was very heroic and on the whole very successful; that he resisted courageously the terror of the boss, the force and violence of the boss and the slanders heralded against him by the press as some sort of a seditious monster.

The Preamble of the Communist Party hails him for this courageous working-class work and struggle and trade union work. It hails him too because after reading the works of people like Karl Marx and also after his experiences as an American Worker, he believed in the truth of Marxism. He became convinced of this and he became a Socialist. He became in fact the leader of the old-pre-World War I Socialist Party. The Communist Party honors him for that, for his vision and his courage in helping to bring the mes-
[fol. 2047] sage of Socialism sixty years ago to millions of American people through his wonderful oratory of his writing.

Eugene Victor Debs, also as a Socialist, opposed the First great war, the World War. He opposed it because he believed it was an unjust war and an imperialist war. That it is a war not for the benefit of the masses of people, of the little people, of the millions who died fighting the war, but he believes it was for the purpose of enriching a handful and of gaining territory by a handful. This was his belief.

Believing this and as a Socialist Eugene Victor Debs said so, and in his conviction as an American devoted to the interests of the American people, believing that this war was not in their interest, he opposed the war, not in any violent way. He opposed it in his speech in the press; he opposed that war as an unjust war, just as Thomas Jefferson opposed the undeclared war against France carried on by this country in 1798 and 1799. Jefferson denied that war as an unjust war and he opposed it. He opposed it as Frederick Douglass denounced the Mexican War. In most bitter language he denounced the leadership of the Government of the United States and he said, "War against Mexico, conducted by the United States Government was unjust." He spoke out openly, so did Abraham Lincoln, and Abraham Lincoln, as a Representative in Congress, voted against that war because he felt it was unjust and in the interest [fol. 2048] of the slave owners and not in the interest of the American people in exactly the same way, and for the same reasons, Debs opposed that war.

In his case, for this opposition, he went to prison. In fact he went to prison specifically because he came to make a speech in support of the third figure in the Preamble of the working-class people, Ruthenberg.

That refers to Charles Emil Ruthenberg, a worker, who was born in the Mid-West of our country and who grew up largely in Cleveland; again a poor man of working class background and upbringing and Ruthenberg also became, like Debs, a leader in the trade union work, especially in Ohio, organizing his fellow workers; fighting for lower hours, higher wages and so on; the normal work of trade union activity.

Now Ruthenberg also, through his reading and through his life, turned to Socialism, to the idea. He turned to it long before as did Debs, the revolution in Russia. Believing in Socialism from his life, he became a member of the Socialist Party and he became a leader of the Party in Ohio. Now, as a leader of the Party and as a Socialist, Charles Ruthenberg also believed that the first great war was an imperialist war, unjust against the interests of the masses of American people, and that it should be stopped and he called upon the people to write to Congress, to

organize, to petition and to ask that we not continue the war but stop it.

[fol. 2049] Now, for this type of activity Ruthenberg was jailed in Ohio. In protest against this, Mr. Debs, who was an international figure, came to the town in Ohio—at the moment it skips my mind where—but where Mr. Ruthenberg was in jail and he went to the steps of a public building, as near the jail as he could get, and he mounted a rostrum and people came around and Mr. Debs spoke out in defense of Mr. Ruthenberg and said that he agreed with Ruthenberg and that if for this Ruthenberg should be imprisoned, that he, Mr. Debs, should also be imprisoned. As a result of that speech, for the reasons which I have indicated, he went to jail and he was jailed.

Now, he was not released from jail until after the war and when he was released he was given amnesty by President Harding as a result of 300,000 signatures from American people on a petition to President Harding to release Mr. Debs from prison. I believe the exact year was 1921. It may have been 1922 but he was then released by Presidential order. Prior to which time, again in the tradition of Debs, which we have in the Preamble, Eugene Victor Debs was a candidate for the presidency of the United States while he was in Atlanta and over a million American people, over a million American people in this campaign of 1920 voted for Mr. Debs to be President of the United States. Now, he exercised democratic opposition [fol. 2050] to unjust war; he suffered for it, went to jail as other people have done and as perhaps other people will do in the future, I don't know, but it has happened in the past——

Mr. Cericone: We object to that remark as being pure argument.

The Court: I think you are getting into the realm of argument, sir. Just explain the significance of those individuals in the Preamble; their doctrines and their subscription to those doctrines and the reasons for their being in the Preamble. I think that is about as far as we can let you indulge in discussion of it, Doctor, and I think you have covered that pretty well without enlarging on it. Is there-

any unjustness that was perpetrated against them or anything further in that light?

A. I want to conclude with Mr. Ruthenberg and Mr. Debs. Mr. Debs died soon after he came out of prison; he went to a sanitarium and later he died in—I think in 1924, I'm not positive, but also in terms of being in the Preamble, Mr. Debs hailed the Socialist transformation by the Russian workers and was a friend of that government and that [fol. 2051] effort to the day of his death.

Now, Charles E. Ruthenberg, to conclude with him, was a leading founder of the Communist Party. In continuing his opposition to the unjust war, in breaking away from some of the Socialists who had refused to go with the majority decision of the Socialist Party to oppose World War No. 1, Ruthenberg was a leader in a group at that time, a majority group of Socialists who, because of what they considered to be the betrayal by some of the Socialist leaders of the anti-just war stand, formed a separate political party, the Communist Party. Ruthenberg was a leading founder of that and a leading builder of that Party and as such he also was in the Preamble in terms of continuing and extending the democratic and working-class traditions of these seven men whose careers I have tried my best to summarize very briefly.

Mr. Nelson:

Q. Now, Doctor, I show you Commonwealth's Exhibit No. 13, which is the Constitution of the Communist Party of the United States, and ask you whether there are any references in the Constitution dealing with people who advocate force and violence. Do you recall of any reference?

A. Yes, there is such a reference.

Q. Would you please refer to it and elaborate on it briefly?

A. In the Constitution of the Communist Party—

[fol. 2052] Q. Do you want to have the copy?

A. I don't need it, Mr. Nelson. There is a provision which calls for the expulsion from membership in the Party of anybody who advocates force and violence; the forcible overthrow of the Government of the United States; of anybody who advocates the limitation or the destruction of

the democratic rights already provided for in our Government. There is a specific provision in the Constitution of the Party that anybody who believes or advocates or practices any sort of violence or terrorism or any sort of anti-democratic activity is to be immediately expelled from the Communist Party.

Q. And there is such a provision in the Constitution; is that right?

A. Yes, there is.

Q. Are you familiar with Article II of the Constitution of the Communist Party in the United States, which reads as follows: "Section 1. The Communist Party is not responsible for any political document, policy, book, article or any other expression of political opinion except such as are issued by authority of this and subsequent national conventions and its regularly constituted leadership."

A. Yes, that is in the Constitution of the Party.

Q. What does that mean, Doctor?

A. It means that as an organization it can be responsible only for those publications authorized by the Organiza-[fol. 2053] tion, by the Communist Party itself.

Q. I believe you have testified that you are the Editor of a magazine, which I hold in my hand, "Masses and Mainstreams"; one of the Editors?

A. Yes.

Q. And was that your first written reaction to the Korean War that you could refer to?

A. Yes.

Q. Published?

A. Yes, sir.

Q. Will you please summarize for us briefly or make reference to such as is necessary, to indicate your views or the Communist Party's view on that question, on the Korean War? Will you do that, please? Do you need the Article?

A. It would be helpful if I could refer to it.

The Court: I think we referred to some excerpts on page 20 previously and also a cartoon on page 43.

Mr. Nelson: We will get to the cartoon.

A. I understood you to ask for a brief summary of this Article?